

The “Norwegian Model” in Security Policy

An Analysis of State-Civil Society Cooperation in the
Framework of Security Governance

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Abbreviations

ATT	Arms Trade Treaty
CFSP	Common Foreign and Security Policy
COARM	Working Group on Conventional Arms Exports (under the Council of Ministers)
CSR	Corporate Social Responsibility
EU	European Union
EU CoC	European Union Code of Conduct on Arms Exports
MFA	Ministry of Foreign Affairs
MiTI	Ministry of Trade and Industry
NGO	Non-Governmental Organisation
NISAT	Norwegian Initiative on Small Arms Transfers
NORAD	Norwegian Agency for Development Cooperation
OSCE	Organization for Security and Co-operation in Europe
SALW	Small Arms and Light Weapons
UN	United Nations
UN PoA	UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
UNDP	United Nations Development Program

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Introduction

The fall of the Berlin Wall, the dissolution of the Soviet Union and the Warsaw Pact transformed the security environment of the 1990s and the following decade radically. The proliferation of multilateral institutions and non-state actors had a major impact on decision-making and policy implementation in security policy. New actors like regional associations, non-governmental organisations (NGOs) and private security/military companies gained growing influence, partly thanks to the increasing popularity of neoliberal ideas since the 1980s. Currently, governments increasingly rely on the services of non-state actors, especially in the implementation phase, and security policy is not exempt from this trend. On the other hand, NGOs and private firms undoubtedly have more opportunities to affect decisions concerning public policies.

While going through the literature on the influence of non-state actors in contemporary security policy, I found that the research on non-state actors' influence is dominated by studies focusing on the "bad guys" (e.g. private military and security companies) and on how they alter the traditional notion of state sovereignty by challenging the monopoly to use force. Considerably less attention is given to the role that NGOs and private companies play in decision-making and policy implementation in security policy, albeit the implications of such a mechanism are just as important as those of the use of private companies in military operations.

Therefore, I decided to study the impact of NGOs in security policy, centring my thesis on the analysis of the "Norwegian model" and the factors that contribute to the efficiency of this unique cooperation between state and civil society. My thesis intends to give a detailed picture of the personal experiences, dilemmas and views of the actors concerning the cooperation, both from the NGO and the governmental side. Furthermore, in the conclusion I would like to evaluate the applicability and usefulness of the model in other settings. In the last decade, the active participation of civil society has been seen as the ultimate cure for the democratic deficit and the legitimacy

crisis in the EU, and thus the findings about a well-functioning governance arrangement could be of paramount importance for the international organisation.

Theoretical Framework

Elke Krahmann describes the new phenomenon of the post-Cold War era with the term „security governance”, reflecting on the process of constant negotiation and cooperation between different political, financial and social actors both from the public and the private sphere (Krahmann 2003a). Whereas the traditional notion of “government” is characterised by “a system of centralized political control within a state”, “governance” refers to the “fragmented mode of policy making that includes state and non-state actors at the subnational, national, and international level” (Krahmann 2005a:11). The gradual change from government to governance is also a necessity, given that the most significant security threats of today originate from non-state actors and do not respect national borders or jurisdictions. In order to be able to combat the new global and transnational threats, an altered security policy mechanism is required, with the inclusion of new actors in the process of decision-making and implementation (ibid.).

However, similarly to other policy areas, security governance also leads to the fragmentation of authority, accountability and responsibility, and it is not yet decided whether the result will be a more democratic way of policy making or rather democratic deficit (Krahmann 2005b).

The Norwegian Model

According to the Norwegian diplomat Jan Egeland who coined the term in the late 1980s, "the purest form of the Norwegian model is the foreign ministry working in symbiosis with one or more academic or nongovernmental humanitarian organizations" (Ford 2000). More generally, the Norwegian model can be described as the special form of cooperation between the state authorities on the one side, and academic and humanitarian organisations on the other side (Tvedt 2003:56).

Tvedt (2003:55) sees the Norwegian model as Norway's contribution to world politics in the era of globalisation, which is both an efficient tool for pursuing altruistic goals and an internationally promoted Norwegian trademark since the 1990s and especially since the success of the Oslo Process (ibid:56). While the first big success that was based on a strong state-NGO cooperation was the Guatemala peace process ending with a peace agreement in 1996, the success of the Oslo Channel resulting in a peace agreement between the Palestinians and the Israelis in 1993 established Norway's role as a peace negotiator and humanitarian superpower (NORAD 2008:66).

However, the success of the Norwegian model was facilitated by several factors that are characteristic of Norway. First of all, there is a wide consensus about the goals and means of Norwegian foreign policy among political parties, with a similarly wide public acceptance (Dobinson and Dale 2000:49). Ever since the success of the peace processes in the 1990s, peace negotiations and an active development policy have been seen as the defining factors of Norwegian identity, and being a "humanitarian superpower" as the key to international forums where important decisions are taken (Tvedt 2003:67). As then deputy foreign minister Raymond Johansen put it in 2000: "When [Norwegian Foreign Minister] Thorbjørn Jagland rings up Madeline Albright, she doesn't know if he's calling because he wants her help in some cod fishing dispute with Iceland, or because he's just resolved one of the world's wars, and he wants her to help arrange a signature ceremony in Washington" (Ford 2000). Thus, Norway accumulates "soft power" through its international role in peace processes and

development policy – since the coercive power that Norway could use in the form of military force or economic sanctions is limited, soft power is of major importance for the country (Nye 2004:5), which leads to the above mentioned wide consensus about the priorities of foreign policy.

Furthermore, the absence of colonial past makes it easier for Norway to play an active role in the global South, since they are rarely accused of having strategic interests or underlying motives (Ford 2000). Finally, it is an important factor that Norway has the resources to finance these activities.

Although the concept is mostly used to describe peace processes and cooperation in the field of development policy and humanitarian aid, I will discuss the “Norwegian model” in the field of security policy. My main intention is to analyse whether the close cooperation between the state and civil society also works in a policy area abundant with strategic interests and traditionally characterised by a closed approach, and to identify the factors and circumstances that enable this cooperation. The findings are of high relevance for assessing whether this Norwegian trademark can be “exported” and used by other states or international organisations, especially with the increasing popularity of governance arrangements in mind.

Research Question and Research Design

To narrow down the topic, I chose a specific policy area, the campaign and activism aiming for an international Arms Trade Treaty (ATT), a universal agreement regulating the export of small arms and light weapons (SALW). As presented below in Chapter 1, the spread of SALW is identified as one of the major threats of the post-Cold War security environment, with transnational and global impact. In 1998, the European Union (EU) created the first European arms control regime with the EU Code of Conduct on Arms Transfers (EU CoC), including SALW in the regulation. It did not remain a purely European regime, though, since many non-EU countries, such as Norway, Canada and the United States, signed the document (Bromley 2008).

NGOs played a determinant role in the birth of this regime – first of all, they put the topic on the agenda by raising attention through various campaigns. Furthermore, they participated in the decision-making process as consultants and helped to draft the text of the document (Anders 2005). On the other hand, private arms producers also made attempts to influence governmental views on the topic. Therefore, this policy area is ideal for the assessment of non-state actors' influence.

Nevertheless, further specification of the research question is necessary, and thus I chose Norway as a case. In late 1997, Norwegian NGOs, such as the Norwegian Red Cross and Norwegian Church Aid, together with PRIO, funded NISAT (Norwegian Initiative on Small Arms Transfers), which is a major player in the policy field. In 1998, the Norwegian government subscribed to the EU CoC, and among many other international agreement, it is actively supporting the ATT process. However, there are several aspects of the Norwegian export practices that are criticised by NGOs, such as the lack of end-user agreements in the case of NATO transfers, transparency and arms production in other countries by subsidiaries of Norwegian companies. The fact that there is a thriving arms industry with internationally successful corporations such as Kongsberg Gruppen and Nammo AS, makes the case even more suitable for the analysis of the role that NGOs play in a policy area abundant with strategic interests.

My research questions are:

Can the relationship between the Norwegian state and civil society in the case of the SALW issue best be described by security governance?

Based on the findings, what are the enabling factors of successful state-NGO cooperation in security policy in the Norwegian case and how does this cooperation function?

In order to analyse the "Norwegian model" and its applicability and relevance in other settings, I chose a qualitative research design, because I was interested in "how" and "why" questions rather than making predictions about future behaviour and frequency. Besides using documentary evidence as a source, I conducted ten interviews with key persons involved in the consultations both from the government and the NGO side. The data from these interviews are summarised in a separate chapter, before relating them to the theory and the research question, to keep the logic of the conclusions more transparent.

The thesis will start by presenting the theoretical framework, describing the "security governance" theory by Krahmann placed in the wider context of governance in general, as well as theories on the role of civil society in international politics, including NGO strategies, tactics and dilemmas. Then, I will give a brief overview of the issue of small arms and light weapons – why SALW represent a security threat and how the trade in SALW is currently regulated by regional and international agreements, including a presentation of the Norwegian arms industry. This chapter is followed by the presentation of the research design, the empirical findings and the analysis of the interview material. Finally, the conclusion will summarise the most important findings and their significance for the research question, and assess the relevance of the model for the EU.

Chapter 1 The Concept of Governance

In the following chapter, I intend to give an overview of the concept of governance in general, and arrive at a definition that is viable across a plethora of disciplines where the term is used. As a next step, it is necessary to clarify the meaning of “governance” as it is applied in political science in contrast to other academic fields. The aim is to place the concept of governance in security policy, developed by Elke Krahmann in a wider theoretical context before presenting it in detail.

1.1. The Rise and Shine of Governance

The last two decades have witnessed the growing popularity of the term ‘governance’ across disciplines, such as economics, sociology and development studies, just to mention a few. Furthermore, the term has not only been used in a variety of research fields, but also by an overabundance of actors besides students of these disciplines, ranging from authors of party programmes to international organisations. Although the study of governance already started in the 1980s, it gained momentum with the end of the Cold War – the mushrooming of international organisations, be it intergovernmental or non-governmental in character, and private actors accompanied by the replacement of two antagonistic ideologies with a plurality of ideas proved to be a fertile ground for ‘governance’. In a changed international environment, effective and efficient problem-solving and the co-operative state became the new buzzwords of the post-Cold War era (Kohler-Koch and Rittberger 2006).

At the national level, the 1970s and 1980s were characterised by a perceived crisis of governability and legitimacy, which triggered different responses by political leaders. While some states, such as France, attempted to address the problem with state expansionism and nationalisation, others embarked on an administrative reform coined New Public Management, with market-oriented solutions, privatisation and cost-efficiency evaluations as underlying ideas (Goetz 2008). The above mentioned factors

have all contributed to the spread of governance both as a phenomenon and as a theoretical concept.

According to Stoker (1998), the ‘governance’ perspective should be regarded as a framework through which we can analyse reality. As every model, it simplifies the complexity of the real world, but it helps to identify important questions as well as problems that arise concerning the new way of government arrangements and of decision-making. He argues that the approach is not suitable for causal analysis and rarely contributes to normative theory. However, it does offer an organising framework for several phenomena and it shows scholars what is worthy of studying, thus enabling us to gain new insights about the topic.

1.2. The Various Meanings of the Concept

Nevertheless, the extreme popularity and broad application of the term did not result in a clear and subtle definition. On the contrary, different disciplines and different actors denote various meanings to the term. As it is shown by Thomas G. Weiss, if we take a look at one type of actors, even international organisations disagree on the definition – while the World Bank uses ‘governance’ merely as a synonym for the process of governing and mainly in the context of ‘good governance’, other organisations such as the United Nations Development Programme (UNDP) use the term to characterise the form of government where civil groups and citizens can articulate their interests in the decision-making process (Weiss 2000). De Alcantara (1998) argues in her article that the donor and the international development community favours the term ‘governance’ because it is void of political connotations, and recommendations concerning state reform can be presented in a rather technical way, without implying intervention in internal political affairs.

When it comes to academics, an analysis conducted by Elke Krahmann based on the Social Science Citation Index showed that the concept had been applied in more than twenty different subject areas in the period between 1980 and 2000 (Krahmann 2003b).

Also in political science, the overabundance of various meanings associated with the term ‘governance’ prevails. Rhodes (1996) identifies six different uses of governance, ranging from the minimal state to self-organising networks – and that is alone in academic writings about the British political system.

As it is demonstrated above, the concept is used and misused so widely and in often contrasting meanings that it seems almost impossible to agree on an overarching definition cutting through disciplines. Therefore, it could prove helpful to apply the classification offered by Jon Pierre to organise the various applications of “governance”. He identifies two broad meanings of the term, the first being “the empirical manifestation of state adaptation to its external environment as it emerges in late twentieth century”, whereas the second meaning refers to the “conceptual or theoretical representation of co-ordination of social systems”(Pierre 2000:3).

Furthermore, the numerous applications of the term can be classified according to the level of analysis. The most varied usage can be found at the national level, referring to the political system, the public administration reform (New Public Management), coordination of specific policy areas and to corporate governance (Krahmann 2003b). At the regional level, academic discussion focuses on the EU, and thus on multi-level governance and the role of networks in the decision-making process, mostly in policy areas linked to the first pillar. While until the late 1980s, research focused on European integration and the transfer of national sovereignty to the Community level, the ‘governance turn’ in European studies resulted in the analysis of the impact of European institutions on national policies and the *sui generis* nature of the EU. From the 1990s, studies focusing on ‘multi-level governance’ and ‘network governance’ started to gain popularity (Kohler-Koch and Rittberger 2006).

Concerning the global level, governance is mostly associated with international developmental policy, although different institutions have diverging underlying meanings when applying the term, as illustrated above. The concept of ‘good governance’, however, is popular and widely used at all three levels.

1.3. Making an Advantage of the Disadvantage

Nevertheless, the application of the term across various disciplines and by various actors without a clear definition does not necessarily amount to a disadvantage. If scholars agree on common characteristics and can find the similarities that link together the different meanings, ‘governance’ can build a bridge between disciplines that usually do not take into account studies conducted by scholars associated with other subject areas when reviewing literature on the topic of governance (Van Kersbergen and Van Waarden 2004).

More specifically, by finding the similarities in the numerous definitions and meanings of the term and treating ‘governance’ as a general phenomenon, analyses across different levels become comparable. This facilitates research on whether failures and problems are comparable across the different levels and solutions to these at one level are adaptable to another (Krahmann 2003b)

Besides, if scholars can agree on a general definition of the term, application of the concept across different policy areas becomes possible, and will not be limited to the original policy field, namely international commerce.

1.4. Definition

The most significant defining factor concerning the concept of governance is the core assumption that it is distinct from government. While the traditional form of government is characterised by hierarchical decision-making, centralised authority and the use of coercion to implement policies, governance builds on common values and ideas, voluntary compliance and decentralised decision-making (Webber et al. 2004). Furthermore, most researchers would agree on the fact that governance refers to the process as well as state by which boundaries between public and private become blurred (Stoker 1998).

Krahmann (2003a:11) defines governance ‘*as the structures and processes that enable governmental and non-governmental actors to coordinate their independent needs and*

interests through the making and implementation of policies in the absence of a unifying political authority'. Concerning the national, regional and global level, the fragmentation of authority and a preference for market solutions can be regarded as common characteristics. Furthermore, the slightly different meanings applied at these levels are all rooted in ideas about the growth of global interdependence and neoliberal ideology. In contrast to the rather vertical approach of multi-level governance, Krahmann's definition points in the direction of a horizontal, inclusive partnership.

Stoker (1998) emphasises that *governance* implies that government is not "a 'stand alone' institution [anymore] divorced from wider societal forces" and that traditional tasks of the government are increasingly carried out by private service providers, whereas the involvement of these private and voluntary actors also in the decision-making process is more and more common.

A further characteristic that helps to define governance is that coordination among state and non-state actors is realised through *networks*. Networks are "sets of actors who share an interest in a specific issue area and are linked to each other through stable formal or informal relations" (Krahmann 2005a:14). Networks can encompass several types of relations, such as hierarchical and horizontal, and have the advantage of being flexible and easily adaptable to changing environments. Also, they facilitate the implementation of the subsidiarity principle, by offering differentiated solutions originating from the level of the stakeholders, in contrast to centrally imposed policies (ibid.:15).

The move towards government arrangements bearing the characteristics of networks can manifest itself in various ways, such as internal re-organisation of governmental agencies and forming of formal and informal ties among public, private and voluntary actors.

These changes that occurred to traditional government arrangements are well captured by the phrase 'the hollowing out of the state', which refers to the process through which the state's authority becomes limited, as well as it is shared with other actors.

Although Rhodes (1996) describes the phenomenon referring to the British political system, his discussion is applicable to almost all Western European democracies. Basically, he argues that privatisation, the use of agencies as alternative delivery systems, the introduction of managerial accountability and clearer political control in the public administration (New Public Management), as well as the transfer of certain competencies to the European level have all resulted in the ‘hollowing out’ of the state.

Furthermore, the principal-agent relations characteristic of governance often lead to outcomes that do not always match the intentions. Still, the open-endedness and uncertainty of governance outcomes can be regarded as an advantage, making it more suitable for adapting to changing circumstances (Stoker 1998).

Krahmann (2003) describes this phenomenon as the ‘fragmentation of authority’ downwards (to local institutions and agencies), upwards (to the regional and global level) and sideways (by the participation of private and voluntary actors in decision-making and implementation). In the following sections, I will present the role of the main participating actors in governance. The main focus will be given to the state and voluntary, non-governmental organisations, given that these two groups of actors are the most relevant concerning my research question.

To sum up, governance is defined by the following characteristics:

- It is distinct from „government”
- The boundaries between public and private are blurred
- Fragmented authority, non-hierarchical decision-making
- The „hollowing out” of the state
- Preference for market solutions
- Policy formulation and implementation is carried out in association with private and voluntary actors
- The coordination among state and non-state actors is realised through networks

1.5. The Role of States in Governance

Nevertheless, the above mentioned characteristics of governance arrangements do not imply that the state has disappeared from the international stage. Students of comparative government argue that it is misleading to dismiss the state as the centre of political power and regard it as a weakened institution from the past, and it is more fruitful to analyse how states adapt to the changed political environment and find ways of governing (Pierre 2000:5). Although states have undoubtedly lost authority to other actors, they still act as enablers and coordinators of the networks of public, private and voluntary actors that take part in decision-making and implementation. Policies agreed on by a mixture of different governmental, private and voluntary actors can only be implemented if they go through the established system of law-making and law enforcement, building on traditional institutions such as parliaments and courts. Thus, it can be argued that not only is governance compatible with the prevailing existence of states – governance is *state-dependent* (Goetz 2008).

Even proponents of the governance perspective emphasise that states are still the dominant actors in the international arena. They have partly transferred sovereignty and authority downwards, upwards and sideways and have changed in character to become “cooperative”, “problem-solving” and “regulatory” states but their prevailing political power in decision-making and implementation is without doubt (Krahmann 2005c).

1.6. Governance in Security Policy

Although academic research has mainly focused on governance in other policy areas, mostly international trade and the reform of public administration, the number of scholars who analyse the possibility of governance arrangements in security policy is growing.

Elke Krahmann’s “security governance” approach makes a convincing contribution to research on the applicability of governance as a theoretical framework for the analysis

of decision-making and implementation processes in security policy. She argues for an increase in intensity and frequency of consultations and solutions where a more important role is attributed to private and voluntary organisations. This, in a way, comes as a necessity, given the changed character of security policy in the post-Cold War era. Paraphrasing the title of her book, today's security policy is characterised by new threats and new actors (Krahmann 2005a).

Furthermore, we can see a change in what is meant by "security" –according to the traditional narrow definition, security is about military force and material capabilities, and focus is on the protection of the citizens within a state's territory, in the fear of an invasion by the enemy. Based on this narrow conception, the analysis of security policy is centred on states and statesmen. In contrast, the broader definition differentiates between military, political, economic, social and environmental security threats (Katzenstein 1996), allowing for the inclusion of non-state actors in the analysis of security policy. Supplementing the traditional state-centred security concept, the term "human security" has increasingly gained popularity in the last 10-15 years. Initially, when the term was first used by the UN and the UNDP Human Development Index for 1994, the concept was too broad and almost encompassed everything, making its application useless. Later, the concept was refined as a result of cooperation between the Canadian and the Norwegian government, limiting it to physical security threats (Matlary 2008). To sum up, "human security" centres on the individual and the threats that could harm or endanger its physical security and integrity, and thus has its roots in human rights (Matlary 2002:26-27).

Krahmann identifies terrorism, international proliferation of weapons of mass destruction, spread of SALW, and HIV/AIDS as the "new security threats", whereas NGOs and private military/security companies are the "new actors" in security policy (Krahmann 2005a:5-6). However, as it is presented in the following chapter on civil society, these actors did not come to existence with the end of the Cold War, rather there was a trend resulting in their growing number and increased inclusion by governments and international organisations.

According to Krahmann, “the fragmented but overlapping networks which structure the collaboration among the growing range of public and private security actors seem to be more adequately described by the concept of governance” (Krahmann 2003a), similarly to other policy sectors. With the weakening of the central authorities and their wish for improved input and output legitimacy, the new actors of security policy play a major role in the “formulation, implementation, and monitoring of international policies, rules, and regulations” (Krahmann 2005a:12).

1.6.1. The Seven Dimensions

The participation of various private and voluntary actors results in the fragmentation of political authority, which can be observed along seven major dimensions, also applicable in other policy areas:

- *Geography*: concerns the geographical scope of policy-making arrangements; government implies that the state is the key unit, while “governance is characterized by the fragmentation of political authority among regional, global, and transnational private entities”, and security functions are delegated to the regional level (NATO, EU).
- *Function*: issue-specific division of labour among different actors.
- *Distribution of resources*: contrary to the case when resources are held and redistributed by the government, in governance arrangements resources are dispersed among a number of various private and public actors, thus coordination is necessary.
- *Interests*: governance presumes heterogeneous interests that can still coexist, whereas government builds on the assumption that individual interests should be subordinated to the common will.
- *Norms*: typical government norms are state sovereignty, command and control and the ideal of redistribution, while governance is built on self-government, marketization, cost-efficient security policy, and increasing limitation of national sovereignty.

- *Decision-making* in case of governance is characterised by ‘horizontal relations among state and non-state actors, negotiation, and structural inequality’.
- *Policy implementation*: decentralised, self-enforced and subject to voluntary compliance, in contrast to centralised and authoritative implementation.

(Krahmann 2005a:12-14)

1.7. Legitimacy and Accountability in Governance Arrangements

However, Krahmann’s theory not only captures the radical changes in security policy from government towards governance, but in the same time it does not neglect the potential negative implications that have already been studied in other policy areas. The most obvious problem described by Krahmann, associated with new modes of government is the occurrence of governance failures. They arise ‘when a shift from government to governance in some of the identified seven dimensions is not matched by congruent changes in the other dimensions’ (Krahmann 2005c). An example could be the regulation and licensing of small arms export by nation states, while the production of SALW is scattered around in the world as a result of the transnational character of the armament industry.

Furthermore, the fragmentation of authority in governance arrangements leads to diffuse legitimacy and accountability relations – in complex structures characteristic of governance, with several actors participating in the decision-making and implementation process, it is difficult to determine the exact institutions or persons who are responsible for a policy decision. The complexity inherent in governance facilitates blame avoidance and scapegoating – the more actors participate in the process, the more possibilities emerge for always blaming the others (Stoker 1998).

Moreover, according to Stoker, there is a mismatch between the normative codes traditionally used to legitimise government with clear accountability structures and the reality of decision-making in governance arrangements, leading to tensions manifested in the alienation and scepticism of citizens. Legitimacy is essential for the functioning of states and both policy formulation and successful implementation are dependent on whether citizens accept the actors as legitimate decision-makers. Therefore, the question of legitimacy needs to be addressed to gain back the trust of citizens, because governance arrangements are here to stay.

Chapter 2 Civil Society and the Role of NGOs in International Politics

The absence of a clear definition and the particularly broad meaning of the term “civil society” are problematic, similarly to the case of “governance”. Cohen and Arato (1992:ix) define it as a “sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication”. Furthermore, in order to make it possible for civil society to fulfil its designated role and preserve its critical potential in established Western democracies, it is necessary to distance it from economic associations and the “bourgeois society”. Also, a distinction between political associations and civil society must be made (*ibid.*). The argument for the unique characteristics of civil society in contrast to the state and the market can be underpinned by a differentiation based on means and goals; civil society is non-violent and non-militant, and driven by collective goods instead of individual interests (Trenz 2007:90).

Still, the definition provided by Cohen and Arato is too broad to be applied in the analysis of the role of NGOs in governance arrangements, and therefore I will exclude the “intimate sphere” and will concentrate on the “sphere of associations” or the “organised civil society”, in order to arrive at a more specific working definition. By defining civil society as an intermediary area between the state, the market and the private sphere, the concept does not result in the abolition of the state as an underlying institution (Trenz 2007:90), which makes it compatible also with approaches outside the neoliberal and cosmopolitan traditions.

The “sphere of associations” can be further differentiated as consisting of grassroots or community-based organisations at the local level, NGOs at the national level, and transnational networks with a reach beyond national borders. Networks where

principled ideas, values and norms are central motivations for their formation and where members of the organisations often represent interests other than their own are termed advocacy networks (Keck and Sikkink 1998:8). In my analysis, the main focus will be given to advocacy groups at the national level that are embedded in a transnational context, either through the establishment of networks consisting of national groups in various countries, or through being a local affiliate of transnational advocacy groups, such as Amnesty International or the International Red Cross and Red Crescent Movement.

2.1. Non-Governmental Organisations in International Politics

The participation of civil society in politics is not a new phenomenon, and as it is demonstrated by Keck and Sikkink (1998), neither is the role that transnational advocacy networks play in international politics. However, the proliferation of various non-governmental groups and the increased intensity of their activism are novel – the spread of modern technology and the increased accessibility of air travel have all contributed to the emergence of transnational and global networks, connecting activists all over the world and providing them with valuable information. The latter is of major importance, because their ability to quickly generate and deploy credible information is their most valuable currency (Keck and Sikkink 1998:16).

In addition, the wish to include NGOs in the decision-making, policy formulation and implementation process by international organisations is undoubtedly a new phenomenon. Since the 1980s, the United Nations (UN) and related agencies such as the UNDP have been open-minded and supportive in terms of the inclusion of NGOs in their activities, also as a result of increased perception of legitimacy problems associated with the functioning of international organisations. Moreover, the UN acknowledges the contributions of NGOs in providing relief and finding solutions that are better fitted for local conditions. Thus, the inclusion of the private and voluntary sector is not merely motivated by institutional reforms aiming for improved legitimacy and more democratic decision-making in the eyes of the citizens, but also sees the new method as a possibility to increase efficiency (Kamat 2004). Accordingly, the renewed

interest in civil society and the treatment of civil activists as partners rather than opponents can be linked to the growing popularity of governance approaches and the search for improved efficiency in the framework of market-oriented solutions as an answer to the government crises in Western democracies (see Chapter 1).

Besides the above mentioned roles designated to civil society, their contribution to the dissemination of information and the channelling of unintended implications of policy making from the perspective of the stakeholders to decision-makers are of high importance (Charrad 2008). Furthermore, they have a crucial role in agenda-setting, articulation of new values and norms, altering institutions to respond to unmet needs and the spread of social innovations (Brown et al. 2000:283).

In terms of the EU, the fact that Irish citizens voted against the ratification of the Treaty of Nice in June 2001 and the growing intensity of the debate concerning the democratic deficit of the EU resulted in the “White Paper on Governance” by the European Commission, calling for open methods of consultation and attributing a more important role for organised civil society in the forming and implementation of European policies (Commission 2001). As Kohler-Koch puts it, by introducing participatory democracy besides representative democracy, the EU followed two “trendy belief systems” of the time, namely governance and scepticism about the legitimacy guaranteed by elections, party politics and accountability exercised through the parliament (Kohler-Koch 2009). Thus, similarly to the above mentioned international organisations, the active participation of civil society was seen as the ultimate cure for the democratic deficit and the legitimacy crisis in the EU, improving both input and output legitimacy and efficiency.

2.2. Watchdog or Partner?

The closer cooperation with civil society in international governance is associated with two underlying roles assigned to civil society: enhancing democracy, public accountability and legitimacy as a remedy to the perceived democratic deficit of the

international organisations on the one hand, and improving the quality of decisions as a solution for the efficiency problems on the other hand (Steffek and Ferretti 2009). Nevertheless, the inclusion of civil society in governance arrangements based on the rationale of accountability and legitimacy claims entails a completely different role than that based on “epistemic claims”, that is, the improvement of the quality of policy making.

Cooperation based on accountability claims entails that NGOs have to live up to the expectations of being a “watchdog” in the form of post hoc evaluation of outcomes, as well as mobilising public resistance. In order to be able to do that, they have to uphold an independent status, acting outside and against the state, because only this way can they truly improve the legitimacy and democratic character of decisions. In contrast, participation based on epistemic claims results in civil society being a partner, closely cooperating with governments and international organisations, improving the quality of policy decision by providing information and expert knowledge on the issue at hand (Hendriks 2006). However, this can lead to organised civil society being co-opted in the process – according to Karp, in the case of the small arms campaign, as a “result of a Faustian bargain with sympathetic governments”, NGOs and research institutes lost their independent and critical voice. Because their activities and campaigns are funded by the government and they are often accredited as members of national delegations at international conferences, controversial issues are left undiscussed, and the official agenda gradually becomes theirs (Karp 2006). Furthermore, research in the case of the EU has shown that the funding of campaigns and projects associated with specific issues prioritised by the EU has led to adaptation mechanisms among the NGO community – they tend to select topics that have the best chances of getting EU funds, neglecting other issues that are equally important (Trenz 2007:103). Thus, the system of EU funding and the agenda-setting role of the EU makes organised civil society dependent on EU institutions (Eising 2007).

Furthermore, the participation of civil society in negotiations leading to decisions in a specific policy area is problematic from the perspective of the principles associated

with deliberative democracy. Deliberation presupposes that the participants are open for the adjustment of their views and demands, resulting in a decision or policy outcome that is acceptable by everyone. However, representatives of interest groups and social movements have very specific agendas that they are expected to pursue, and thus they often have to choose between being a valuable member of the negotiations or an advocate of their organisations. Moreover, participation in consultations implies that the community of NGOs is represented by a small number of activists, which is potentially elitist and exclusive, questioning the democratic qualities of civil society involvement (Hendriks 2006).

2.3. Strategies and Tactics

In order to understand the actions of NGOs better, I will in the following section present the main strategies they apply. Since NGOs are not in the possession of resources that would make them powerful in the traditional sense, they have to seek other strategies to reach their goals. Keck and Sikkink (1998:18-25) describe four tactics that transnational advocacy networks actively use and that can also be applied to national and local groups:

1. Information politics

As mentioned above, information is the most valuable asset that NGOs have at their disposal. Networks and groups disseminate information in both directions: they collect perceptions about the negative implications of policies at the local level and articulate them to governments or international institutions, but they also provide information to the stakeholders concerning policy decisions. Thanks to their contacts with the local level, they can identify and investigate problems, and make them a part of the political agenda.

“Framing” is a central concept in their strategies: they attract attention to their causes by using a language that dramatises the issue at hand, and often puts it in another context than it was discussed before. The spread of HIV/AIDS, for instance, was treated as a medical problem in the beginning, but through the effective framing by

NGOs it was transformed into being a question of human rights and socioeconomic development (Jönsson and Söderholm 1995). As a consequence of the emergence of a broader concept of “human security” in the post-Cold War era, the spread of HIV/AIDS is now even presented as a security threat, with implications for a more conventional security framework, as well (Elbe 2005:111). It comes as no surprise that describing an issue as a potential security threat with consequences for the military personnel and UN peacekeepers will draw more attention than presenting it “simply” as a medical and developmental problem.

2. Symbolic politics

This strategy builds on invoking symbols that make sense of issues at hand even for people far away from the stakeholders, or interpreting actions and events in a symbolic manner.

3. Leverage politics

Given that NGOs are not powerful in the traditional sense, in order to be successful, they have to “leverage” more powerful actors and pressure them to alter their policies. The use of material leverage is mostly realised through governments and international institutions, for instance by delivering financial aid on the condition of improvements in human rights practices. On the other hand, moral leverage is associated with the “mobilization of shame”, a strategy based on the assumption that actors wish to preserve a good picture of themselves in the eyes of others. This is what Dembinski and Joachim term “beauty contest, peer pressure and best practice” in the case of the implementation of the EU CoC (Dembinski and Joachim 2006).

4. Accountability politics

Governments and international institutions often make public announcements about their policy changes and dedication to certain values and norms. It can prove to be an effective tactic to remind them of their previous statements and contrast these with

practice, because both states and institutions have a desire to be seen as trustworthy and credible.

These strategies can rarely be observed one-by-one; they are mostly employed simultaneously or are stages within a campaign. In the initial phase of a campaign, NGOs have to gather information and then frame the issue in a way that it can build on symbols that help to understand it better. Later, they use moral leverage to convince governments to make public commitments about policy changes and the adoption of new norms and values. Thus, they can use these announcements to hold governments accountable and make them implement the changes they pledged (Keck and Sikkink 1998:26).

2.4. Non-Governmental Organisations in Security Policy

After the presentation of the concept of civil society and the role of NGOs in international politics, especially in governance arrangements, I will now turn to the question of whether organised civil society is active in the field of security policy and whether they can influence government and institutional positions to the same extent as in the case of other policy areas. Academic research has mostly focused on the role of civil society and the occurrence of governance in the first pillar of the EU, though studies concerning the second and third pillar are also starting to draw more attention (Krahmann 2003a; Dembinski and Joachim 2006).

According to the “co-evolution thesis” put forward by Kohler-Koch (1996:209), the intensity and organisation of interest representation in a policy area tends to mirror the depth of integration in this area. As more and more competencies are transferred to the European level, resulting also in a growing number of people affected by the decisions, we would expect the proliferation of civil society organisations active at the supranational level. In the case of the second pillar, as the European institutions increasingly gained competence in policy-making, NGOs with a security policy focus did in fact become more active in the European arena. Especially groups in the realm of development aid, catastrophe aid, human rights policy and environmental policy

engaged themselves in supranational settings, but even organisations focusing on issues considered being the core areas of the Common Foreign and Security Policy (CFSP) proliferated in Brussels. They are mostly present in the form of networks, such as the European Platform for Conflict Prevention and Transformation or the European affiliate of the International Action Network on Small Arms (Dembinski and Joachim 2006).

Thus, as it is presented above, there is no doubt about the presence and activity of organised civil society in the field of security policy.

The Peculiarities of Security Policy

On the other hand, the answer to the second question, namely the extent of the impact NGOs can have on security policy, is not so clear. As it is put forward by Dembinski and Joachim (2008), the CFSP is a relatively new field in the family of Europeanised policy areas, and thus the gradual deepening of integration in the CFSP could possible bring about the increased influence of NGOs. Already in the 1990s, supranational institutions managed to build competencies in the area of CFSP (such as the High Representative or the Political and Security Committee-PSC), providing more opportunities for civil society involvement.

Nevertheless, the peculiarities of security policy can very well pose barriers to the effective and efficient participation of organised civil society in the second pillar. Decision-making in CFSP competencies is still mainly intergovernmental in its character. Therefore, private and voluntary actors have considerably less possibilities and access points to influence policy formulation and implementation. The realm of foreign and security policy is still regarded as the field of executive prerogatives – questions of legitimacy and accountability rarely arise in the context of CFSP, and the participation of civil society is not desired by decision-makers (Dembinski and Joachim 2008). Security policy decisions are traditionally seen as the privilege of statesmen, and questioning the democratic accountability of these decisions seems unlikely. Since the decisions concern the survival of the nation, it has been accepted

for centuries that security policy requires secrecy and efficient decision-making, which requires the participation of a small number of actors (Sjursen 2008). However, as it is presented above, the concept of “security” is changing and the number and variety of actors involved are increasing, similarly to other policy areas.

While in the first pillar the Commission actively seeks the inclusion of NGOs and private actors in decision-making as a remedy to legitimacy problems and democratic deficit (Kohler-Koch 1996, 2007), a similar trend in the second and third pillar is not visible. Although development and humanitarian aid are often channelled through international and local NGOs, currently, their impact on policy formulation and decision-making is neglectable (Dembinski and Joachim 2008).

The foreign and security policy of the EU has a further characteristic that makes NGO involvement problematic. As mentioned above, according to the co-evolution theory, with the deepening and widening of European integration, decisions have an impact on a growing number of citizens, spurring increased interest representation (Kohler-Koch 1996:198). Yet, in the case of the CFSP, these “stakeholders” affected by European policy decisions are outside the borders of the EU. Diplomatic relations between member states can hardly be regarded as foreign policy, and thus the CFSP mainly encompasses the foreign relations of the EU as an entity with third countries. As a result, European non-governmental organisations do not qualify as “stakeholders” in the case of security policy, and their representativity and credibility are questioned by European institutions (Dembinski and Joachim 2008).

On the other hand, the fact that the people to be represented by civil society organisations are not EU citizens and thus there is no direct representative link between them does not necessarily mean that the representativity and credibility of these organisations should be put in doubt. As it is argued by Trenz (2008), the typology of different forms of representation offered by Mansbridge (2003) can also be applied to civil society. According to this characterisation, *surrogate representation* refers to the case when there is no direct electoral link present in the representative relation, neither are there structures established to channel accountability claims.

Basically, NGOs choose a group of people that they, based on shared norms, values and ideologies within the organisation, wish to represent and defend (Trenz 2008). Nevertheless, the absence of a direct relationship and mechanisms of accountability should not lead to the conclusion that these organisations are illegitimate – the problem lies in the fact that the legitimacy of surrogate representation is measured in terms accountability developed in the framework of the traditional “promissory representation” (Mansbridge 2003). As Trenz (2008) puts it, “(t)he legitimacy of surrogate representation (...) lies in the performative act of representation itself, through which a particular person claims to speak for somebody else and in the general resonance, which this performative act creates within a wider audience (which is not identical with the constituent)”. Therefore, the exclusion of civil society in the case of security policy based on the argument that their constituents are outside the EU is not justified.

In spite of the institutional barriers and the suspicions of European institutions, it is still possible to find examples when civil society successfully penetrated foreign and security policy. As it is demonstrated by the study of the small arms movement and its impact on the EU CoC by Dembinski and Joachim (2006, 2008), NGOs can play a crucial role in enhancing transparency, and by using “leverage politics” and “accountability politics” (Keck and Sikkink 1998:16), they can push for the improvement and better implementation of existing regulations in the field of security policy. Although the active campaign that followed the adoption of the EU CoC in 1998 can better be explained by placing it in a governance framework, the birth of the European small arms regime can only be accounted for by applying an intergovernmental perspective (Dembinski 2006). Thus, the role that NGOs can play in the decision-making and policy formulation phase of foreign and security policy needs to be further explored.

Chapter 3 The SALW Issue

3.1. The Significance of SALW

The spread of small arms and light weapons (SALW) is one of the most significant security threats of today, as it is illustrated by the fact that the use of SALW can be made responsible for over 740,000 deaths yearly (UNDP 2008). They are “the number one killers of combatants and innocents alike in conflicts around the world” (Holtom 2008:7). With the end of the Cold War, the international community increasingly focused on intrastate conflicts and civil wars, and more and more attention was given to SALW as contributors and multipliers of armed violence (Anders 2005:178).

Small arms „are those weapons designed for personal use and capable of being carried by an individual, e.g. pistols, rifles, submachine guns and assault rifles’”, whereas *light weapons* are defined as weapons that are easily portable „but sometimes require a team to operate them. They include heavy machine guns, rocket-propelled grenade launchers, anti-aircraft guns, mortars, recoilless rifles and man-portable anti-aircraft missile systems”(Jackson et al. 2005:10). According to estimates, there around 875 million small arms and light weapons in circulation, with around 75% being owned by civilians (UNDP 2008).

The negative consequences of the spread and use of SALW cover various aspects and dimensions. SALW play a major role in transnational crime, drug trafficking and civil wars. Furthermore, although the main focus in counterterrorism efforts is given to preventing the proliferation of weapons of mass destruction, SALW, and especially light weapons such as MANPADS (man-portable air-defence systems) capable of carrying out attacks on aircrafts undoubtedly have relevance for international terrorism (Stevenson 2005). Thus, they are of paramount importance for the post-Cold War security environment.

On the other hand, the proliferation of SALW has devastating socioeconomic consequences for human development, such as access to health, education and social services, as well as investment and trade (OECD 2009:13). Furthermore, the widespread use of SALW often makes it impossible for humanitarian organisations to reach people in need (Jackson et al. 2005). A further aspect is the role that SALW play in contributing to and facilitating violations of human rights (Oxfam and International 2003:8), as well as international humanitarian law. A common factor for the above mentioned aspects however is that the negative impacts of SALW mostly affect the global South and developing countries in general (Jackson et al. 2005:13), which explains the active engagement of humanitarian and development organisations in the field of SALW control in recent years.

3.2. International and regional regulations concerning SALW

The vast majority of SALW that are in circulation today started out as legally produced and transferred weapons. However, insufficient legal control of global conventional arms flows often leads to a transition from the legal market to the grey zone, and finally to the black market (Bourne 2005:160), making SALW available also for non-state actors (insurgent groups, criminal groups, terrorists, etc.) who would otherwise not be granted access to them. The most frequent way of SALW acquisition is the theft, capture or corrupt purchase of government weapons, as well as trade by black market arms brokers (Jackson et al. 2005:53).

Thus, the proliferation of SALW and their wide use and abuse is a complex and complicated issue, and initiatives aiming at regulating arms transfers have a tendency to address only one or a few aspects of it. The first breakthrough in the sense of raising awareness came with the UN Secretary General mentioning the devastating effects of SALW in a 1995 speech, asking for coordinated measures to counter the security threat posed by SALW. Consequently, the proliferation of SALW was officially lifted to the level of major security threats (Anders 2005:179).

One of the most comprehensive and efficient regional initiatives to control arms transfers is the European SALW export control regime, based on the EU CoC. European cooperation in the field of arms control goes back as far as the 1960s, in the framework of the European Political Cooperation (EPC). However, the experiences during the Gulf War showed that in the absence of a common European regulation for arms exports, decisions by certain member states not to export weapons to Iraq can easily be undermined by other member states selling arms to the same country. In order to combat these shortcomings, the members of the European Community decided to set up an *ad hoc* working group known as the COARM group, with the aim of establishing common criteria for exports of conventional arms. Still, EC members had a tendency to interpret the criteria differently and the need to harmonise national legislation arose (ibid.). The result was the EU CoC in 1998, requesting denial notifications, consultation mechanisms and an annual report besides common criteria for arms exports, thereby significantly contributing to transparency and efficient export control (Bromley 2008). The idea of an EU CoC arose already as early as 1991/1992, as a result of discussions between non-governmental experts on the topic. In May 1995, NGOs led by the UK-based Saferworld, supported by international lawyers and other partners, drafted a model for the EU CoC, which increasingly gained popularity among a broad spectrum of NGOs all over the world (Anders 2005:185)¹. It was, however, still imperfect and further issues had to be addressed, such as arms brokering – the arrangement of transfer between buyers and sellers. This led to the EU Common Position on Arms Brokering in 2003, with an obligation to license brokering activities on EU territory, whereas outside the EU, licensing is only recommended (ibid.). In December 2008, the EU CoC became legally binding, further strengthening its role and efficiency.

Other regional initiatives include the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials; The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons; Protocol on the control of firearms, ammunition and

¹ On the role of NGOs in the process leading to the EU Code of Conduct see Anders 2005.

other related material in the Southern African Development Community; and The Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, their Ammunition and Related Materials. Guidelines that are not legally binding include the Organisation for Security and Co-operation in Europe (OSCE) Document on Small Arms and Light Weapons from 2000 and the Code of Conduct of the States of Central America (SICA) on the Transfer of Arms, Munitions, Explosives and Related Materiel from 2005 (Wallacher and Silva 2008:12).

At the international level, in 2001 member states of the United Nations accepted the UN Programme of Action (PoA) to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was an important step in combating illegal arms brokering (Holm et al. 2006:43). However, it does not regulate the legal export and trade of arms and neither is it legally binding. In 2003, the UN Register of Conventional Arms opened for the possibility of reporting the transfer of SALW in the register as additional background information, though on a voluntary basis for “interested” member states, “using definitions and reporting methods they deem appropriate”. Since 2006 it is also possible to use a standardised reporting form (UN 2007:12).

Supplementing the UN Convention against Transnational Organized Crime, the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (UN Firearms Protocol) entered into force in 2006, with all member states having signed and ratified the document (UN 2005).

Furthermore, The Geneva Declaration on Armed Violence and Development is also of high importance, because it established a link between armed violence and the proliferation of small arms on the one hand, and development and human security on the other hand. In addition, it stresses that armed violence threatens the respect of human rights and hampers providing humanitarian assistance (The Geneva Declaration 2006).

Thus, as demonstrated above, although there are several existing regulations and guidelines concerning international arms trade, most of them address separate dimensions of the SALW issue, and they either cover only a region or are not legally binding. Therefore, in December 2006, 153 member states of the UN agreed on the necessity of an international ATT (Wallacher and Silva 2008:3). The aim is to agree on a “comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms” in the future. Furthermore, the resolution reaffirms the role of conventional arms transfers as a “contributory factor to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable development” (UN Res. 61/89. 2006).

The future ATT is still in the process of formulation and negotiations, and thus it is difficult to see whether it will be successful in regulating the flow of arms. There are fears that opposing countries will block the negotiations, or that the ATT will use a narrow definition of SALW, excluding ammunitions, components, parts and licensed production or even worse, would not cover small arms at all. However, during the recent meeting of the Open Ended Working Group on an Arms Trade Treaty in March 2009, none of the participating states were explicitly against including small arms in the ATT, and only a few voiced their concerns about the inclusion of ammunitions. All in all, with the possible support of the United States that until the change of administration opposed the ATT and the generally constructive contributions by member states, some interpret the experiences from the meeting as a step towards a successful future treaty (Wallacher 2009).

3.3. The Norwegian Export Control Regime and the Arms Industry

From the above mentioned treaties and guidelines, Norway aligned itself with the documents agreed on by the members of the UN and the OSCE, and is an active supporter of an international ATT. Although Norway is not a member of the EU, the country subscribed to the EU CoC and the export control section in the Ministry of Foreign Affairs (MFA) follows the criteria set by the agreement when deciding on export licenses (Holm et al. 2006:44).

The major arms producers in Norway are Kongsberg Gruppen and the Nammo Group. A part of Kongsberg, Kongsberg Defence and Aerospace is the leading supplier of the Norwegian Armed Forces and often develops its high-technology weapon systems in cooperation with them or with international partners. The main products are command and weapon control systems, surveillance systems, communications solutions and anti-ship missiles, but Kongsberg also “makes advanced composites and engineering products for the aircraft and helicopter market” (Kongsberg 2009). The corporation was founded in 1987 and the shares of the Norwegian state amount 50,001%, administered by the Ministry of Trade and Industry (MiTI). Kongsberg is internationally renowned for delivering high-technology products, and the revenues originating from foreign markets made up 67% of the total revenues in 2005 (NHD 2006:82).

Nammo AS was founded in 1998 and was a result of the “merger of ammunition activities of three major Nordic defence companies; Celsius AB, Patria Industries Oyj and Raufoss ASA” (Nammo 2009). Nammo AS is the mother company of Nammo Raufoss AS, Nammo Sweden AB, Nammo Lapua OY in Finland, Nammo Buck GmbH in Germany, and Nammo Inc. in the United States. According to the Small Arms Survey 2003, Nammo was the third largest producer of military small arms ammunition at that time (Harang 2008:25). The corporation manufactures ammunitions and missile & space propulsion products, besides providing demilitarisation services. Between 2001 and 2005 the ratio of the revenues originating

from export increased from 50% to 60%, with the main importers being the Nordic countries, the US, Canada and other NATO countries (NHD 2006:84). Nammo is famous for the production of its 12.7 mm multipurpose ammunitions for use against material targets (Nammo 2009). However, this ammunition, especially the version called NM140 in Norway or MK 211 in the US, is heavily criticised in terms of international humanitarian law – although Nammo describes it as an anti-material ammunition, it has been documented that the MK 211 is used against human targets by the Australian and the US Army. There is a wide debate about whether this ammunition can be regarded as a dum-dum bullet based on the unacceptably extensive damage it causes for people being shot, and thus it is the most controversial ammunition manufactured and exported by Nammo (Harang 2008:35).

Chapter 4 Research Design

In order to analyse the “Norwegian model” in security policy, I chose a qualitative research design, because I was interested in “how” and “why” questions rather than making predictions about future behaviour and frequency. My intention was to gain insight about the way both NGO staff and government officials perceive the unique symbiosis between the state and the civil society in Norway, and about the conditions and characteristics that facilitate the efficient functioning of the “Norwegian model”. According to Devine (2002:199), qualitative methods are the right choice if “the goal of research is to explore people’s subjective experiences and the meanings they attach to those experiences”, and thus it was a logical choice to apply a qualitative research design for my analysis.

4.1. Choice of case

I decided to use a single-case research design, because the depth of the analysis was more important than the breadth, as the main goal was to understand what the cooperation between the state and civil society involves and whether this cooperation can best be described by the concept of security governance. However, due to the use of several subunits the research constitutes an embedded single-case study, which in contrast to holistic research designs has the advantage of preserving the initial focus of the analysis as it proceeds (Yin 2003:42).

The landmines and the cluster ammunition campaigns are the most frequently used examples for demonstrating the impact of civil society on government decisions concerning arms control, and the potentials of state-NGO cooperation. However, in these cases the goal of the campaigns was the complete ban of certain types of arms that were not strategically necessary for pursuing military objectives and had no advantages compared to other types of arms. Therefore, the campaigns did not really

challenge state interests and the goals articulated by civil society were clear-cut and simple.

On the other hand, the issue of small arms control has a completely different character. None of the NGOs currently active in the field strive for a complete ban of SALW. Their goals concerning an international treaty regulating the export of SALW are significantly more nuanced, e.g. the inclusion of human rights aspects when assessing arms export, request of an end-user assurance, marking and tracing of ammunitions. This results in more complicated and detailed discussions about the topic with more frequent opposition on the part of governments, for instance by Middle Eastern states who are worried about the abuse of the human rights criteria as a tool for hindering them in acquiring arms, while the prohibition of arms sales to non-state actors is opposed by the United States² (Wallacher 2009). Furthermore, the civil society itself is divided on the topic, with powerful organisations like the National Rifle Organisation in the United States lobbying against strict arms control, or the World Forum on the Future of Sport Shooting Activities. Moreover, while landmines represented a proportionally small amount of profit for arms producers, SALW provide important revenues for producers (O'Dwyer 2006). Therefore, the small arms campaign as such represents a more complex case, with aspects that can be linked to traditional national security issues and strategic interests, and thus with more relevance for the analysis of governance arrangements in security policy.

Furthermore, since I use Krahmann's security governance theory as the organising framework, the case of small arms export regulations was an ideal choice, because it is presented both as a new security threat and as an example where policy formulation and decision-making in security policy are characterised by governance arrangements (Krahmann 2005a:6). As a more specific and well-defined case I chose *the cooperation of Norwegian NGOs and the Ministry of Foreign Affairs in regards the current small arms and light weapons (SALW) export regulations and the nascent Arms Trade Treaty (ATT)*. Although Anders' chapter (2005) in Krahmann's book

² The position of the Obama administration concerning the Arms Trade Treaty is in the process of formulation, but it is expected that the new US administration will have a more favourable view towards the ATT.

describes the process leading to the adoption of the EU CoC, the present efforts aiming for an international ATT can be compared to the aforementioned case, though the level of regulation is shifted from the regional to the international level. Thus, the subject of my analysis can be regarded as a “crucial case” for the security governance theory, which further legitimises the focus on one single case (George and Bennett 2005:121-122). On the other hand, according to Dembinski and Joachim (2006), the process that resulted in the creation of the EU CoC could be better explained by applying an intergovernmental perspective, in contrast to the adjustments and amendments that followed the ratification of the document, characterised by strong NGO involvement. The presence of two competing theories accounting for the initial policy formulation and decision-making phase enables the assessment of the usefulness of Krahmann’s perspective, while the analysis of NGO activity aiming for the adjustment and improvement of current SALW regulations helps in gaining insight about the characteristics of and ideal conditions for state-NGO cooperation in a less disputed and more clear-cut case.

4.2. Method

For the analysis of the research question I applied a combination of documentary evidence and informant interviews to ensure that as many sources of evidence as possible are used in order to increase the quality of the research (Yin 2003:97). As documentary evidence, I used campaign brochures, political declarations, newspaper articles and reports by NGOs, articles written by researchers, as well as summary reports published by the MFA and protocols of public hearings in the Parliament. I was also granted access to the extensive document library of the Norwegian Initiative on Small Arms Transfers (NISAT), containing data on international authorised trade in SALW, as well as articles on small arms issues.

However, it is important to be aware of possible reporting bias and to keep in mind that documents are produced for a specific audience with a specific aim, although they are relatively trustworthy sources in describing reality (Yin 2003:87).

In order to gain insight about the personal experiences, motives and interpretations of civil society and governmental officials (Devine 2002:201), and to balance the above mentioned bias, I conducted focused interviews with key persons involved in the consultations on SALW control. Since my interviewees had an excessive knowledge about the topic and were generally resource rich, it was important to be aware of the tendency of key informants to steer conversations so that it fits their own agenda, making it necessary for the interviewer to play a more active role than in other cases (Andersen 2006).

The first two interviews I conducted with researchers, both to gather information about the topic and to test my questions in a genuine setting. After these interviews I slightly modified my questions and added some aspects that were not covered previously.

The interviews were conducted in Oslo, Norway within a period of three weeks, between the 20th of March and 29th of April, 2009, with each interview lasting for approximately 60 minutes.

I decided to record the interviews because it helped me in concentrating on the conversation itself instead of focusing on taking notes. None of the interviewees refused being recorded, and I always started with a question about their background and role in the organisation to make them feel at ease. Also, I always stated that the interview would be confidential and anonymous, both when requesting a meeting and at the meeting itself. Since the NGO community in Norway is small, stating the name of an interviewee's organisation would make my informants identifiable, and thus I will refer to them as "NGO employee". Similarly, in the case of government officials, they will be referred to as "State employee". However, in order to indicate clearly whether it was the same person who had a certain position concerning the different issues, I assigned a number to each interview and specified the date by using footnotes.

4.3. Sampling

As mentioned above, the Norwegian NGO community is a small one, and thus it was possible to interview representatives from almost all organisations that are active in the field of SALW export regulations. In order to identify the relevant organisations I used protocols of public hearings, where all the participating NGOs were documented (Stortinget 2008). However, the public hearing in October 2008 was on the Norwegian export of military materiel in general, and therefore it was necessary to filter the participating organisations according to whether they have worked with the SALW export issue, and whether they are still active. In order to do that, I used their websites where political positions and topics of interest are published. As a result, I did not include Pugwash, Nei til atomvåpen (No to Nuclear Weapons), Norske leger mot atomvåpen (Norwegian Physicians against Nuclear Weapons) and Internasjonal Kvinneliga for Fred og Frihet (Women's International League for Peace and Freedom). A further organisation, Forum for Utvikling og Miljø (Forum for Development and Environment) was also present at public hearings and has policies regarding SALW issues. However, they are a network of different NGOs working with development and environmental issues, and since most of the NGOs I interviewed are a member of this network, the further insights that could have been gained by an interview with a representative of this organisation are limited. To corroborate the resulting list, I asked my interviewees to name other NGOs relevant in the field of SALW export control.

I combined this method of sample generation with “*semi-snowball sampling*”, because it was often difficult to identify the persons in charge of small arms issues at the relevant organisations. During the first two interviews that I conducted with researchers, I asked them to recommend possible interviewees, though I did not follow the principle of snowball sampling in the course of subsequent interviews. The NGO community in Norway is not only small, but also extremely interconnected – many of them meet on a daily basis, have lunch together and cooperate on various issues. Therefore, I wanted to avoid that they discuss the questions I asked from one of them

with NGO employees that I intended to interview in the future, as well as generating a sample from one network of people with similar characteristics (Devine 2002:205). It is still possible that such discussions have taken place, but the risks are considerably lower.

Furthermore, at the end of each interview I asked whether the interviewee knew of any organisations that wanted to be included in consultations and public hearings but did not have the opportunity. My aim with this question was to minimise the possibility of only interviewing the “privileged ones”, although there is still no guarantee that I did not leave out an organisation active in the field of SALW export controls. Nevertheless, my sample can still be regarded as representative of the Norwegian NGO community, and since the general aim of my study was to explore the characteristics and facilitating conditions of the Norwegian model, the lack of insights from marginal NGOs in the field who are not included in consultations with the government does not weaken the value of my findings.

The final sample includes different types of organisations, ranging from youth NGOs and religious associations to research institutes, and the organisations vary also in terms of being a purely Norwegian initiative or an affiliate of an international NGO.

I interviewed employees of the following organisations:

- International Peace Research Institute Oslo/NISAT
- Norwegian Red Cross
- Norwegian Church Aid
- Changemaker (youth organisation of the Norwegian Church Aid)
- PRESS – Redd Barna Ungdom (youth organisation of the Norwegian Save the Children organisation)
- Norges Fredslag (Norwegian Peace Association)
- Amnesty International Norway
- Senior advisors at the MFA.

4.4. Validity

According to George and Bennett (2005:19), qualitative case studies have the advantage of high conceptual validity, because they allow for conceptual refinements. Open-ended interview questions make it possible for the interviewees to formulate the answers in their own words, and thus concepts in different contexts can be compared. In addition, if data from different sources is triangulated to support a fact, conceptual validity is further strengthened because these sources provide different measures of the same phenomenon(Yin 2003:99).

As presented in the section on the sampling method, the NGO employees and governmental officials interviewed are representative for the circle of civil society and state representatives who work on the issue of SALW. Since all NGO employees and governmental officials I contacted were willing to be interviewed, the problem of non-response does not endanger the representativity in this case.

Though, in terms of external validity, it is important to assess whether the findings of this study are relevant for the “Norwegian model” as a whole. Literature so far has mostly focused on state-NGO cooperation in the field of development and humanitarian aid, and the model originally referred to this subfield of foreign policy. However, since the actors are generally the employees of the same organisations and state departments, it is expected that the mechanisms and facilitating conditions for cooperation are similar across various policy areas.

Nevertheless, according to Yin (2003:37), the aim of case studies is analytical generalisation, meaning that “the investigator is striving to generalize a particular set of results to some broader theory”. In this case, the findings about Norwegian state-NGO cooperation in the field of SALW export control are expected to tell us something about governance arrangements in security policy in general, and thus contribute to the assessment of the relevance of Krahmann’s theory on security governance. However, in order to judge the value of the theory for understanding contemporary security policy, further case studies are necessary. In sum, I still think

that the conclusions of this study can contribute to our knowledge about state-NGO cooperation in security policy and about the factors that facilitate the efficient functioning of the Norwegian model.

4.5. Reliability

In order to increase the reproducibility of my research, I used a semi-structured interview protocol to ensure the comparability of dimensions across the interviews, though the protocol was used with great flexibility to preserve the conversational nature of the interview. Furthermore, I used coding templates to make sure that all the dimensions are covered in each interview, to compensate for the analytical disadvantage of using open-ended questions (Berry 2002).

I also documented the interviews in extensive transcriptions which are available upon request. The empirical findings of the case study are summarised in a chapter separate from the analysis itself, so that the “evidence” is presented in an unbiased way, making the logic of the conclusion more transparent and thus increasing the reliability of the case study significantly (Yin 2003:102).

Furthermore, I sent the quotes that I used from the interviews to government officials and asked them whether the quotes are used and interpreted correctly according to them. The reason for only making this step in the case of state employees was that there were only two of them in the sample, and therefore it was more important to make sure that the quotes are correct, since they were the only sources from the government’s side. In the case of NGO employees, they more or less mentioned the same concerns, expressed the same views and experiences, and thus the added value of double-checking was rather low compared to the time and effort it would have taken. Also, the use of method and data triangulation helps to minimise the biases and errors, and thus further strengthens the reliability of my analysis (Yin 2003:37).

Chapter 5 Interview Data

In the following sections I will summarise the personal experiences, perspectives and attitudes of NGO employees, as well as governmental officials according to five major dimensions (see Table 5.1.).

The *first dimension* covers the general functioning of the NGOs – how they finance their activities, the main sources of funding, the strategies they use and their participation in international advocacy networks. The question of whether they receive governmental funding and whether they see it as problematic is an important factor in assessing the degree of independence they managed to uphold, and helps to create a picture about the everyday settings these organisations work in. Furthermore, my intention with this dimension is to evaluate the relevance of two concepts presented in the theory chapter for the Norwegian case: Karp’s standpoint about a “Faustian bargain” between NGOs and governments based on funding and consultations in the case of SALW (Karp 2006), and the adaptation mechanisms discussed by Trenz in the case of German civil society and funding provided by the EU (Trenz 2007). Findings about their strategies and links to international networks will be analysed in the light of the typology presented by Keck and Sikkink (1998:18-25).

The *second dimension* includes the variables evolving around the issue of SALW export regulation in general – international practices, the advantages and disadvantages of the human rights, humanitarian and development approach, and experiences gained from and similarities with the landmine and cluster ammunition campaigns. The latter is important because it is widely debated whether the SALW issue is comparable with these two previous campaigns, by placing them under the umbrella of humanitarian disarmament (see Rutherford 2000; O’Dwyer 2006). Moreover, the MFA has recently assigned the small arms portfolio to the same section that was responsible for the landmine and cluster ammunition campaigns, and thus this variable provides valuable insight about how civil society sees the link between these processes.

Furthermore, with including variables concerning the perceived problems and deficiencies of international practices, my intention was to get a picture of what the NGOs see as the most important issues that need to be addressed, in terms of both existing and future regulations.

The views and experiences of NGO employees concerning the discussion of SALW as a humanitarian and development issue instead of a security issue are of high significance, given that in the presentation of her security governance theory Krahmann identifies the proliferation of SALW first and foremost as a security threat, placing it in the realm of security policy (Krahmann 2005a:6). Furthermore, the process leading to the EU CoC regulating the export of SALW is presented as an example of NGO influence in security policy (Anders 2005), and thus it is a key concern whether the issue of SALW indeed belongs to the realm of security policy. Therefore, findings about the framework within which the issue of SALW is discussed have important implications for the relevance of the security governance theory in the present security environment.

The *third dimension* includes two variables: perceived problems concerning Norwegian SALW export regulations and practices, as well as issues where NGO interests and Norwegian strategic interests collide. The first variable serves the purpose of getting a picture of the Norwegian SALW landscape and identifying the central issues of NGO lobbyism, in order to have the necessary background information to understand NGO activism and consultations with the government. The latter variable gives important insights about the topics where the humanitarian/development approach represented by the NGOs and traditional state interests, such as security policy, party politics and economics seem to be incompatible. Apart from its relevance for the security governance theory, this variable also plays a key role in assessing whether NGOs were able to preserve their “watchdog” role and independent voice (Hendriks 2006; Karp 2006) by having a position different from that of the government’s.

The *fourth dimension* covers the personal experiences and attitudes relating to the consultations with the government, including the openness and responsiveness of the state officials – how often are NGOs invited to the consultations, whether the consultations are regular or rather on an occasional basis, who took the initiative, examples of NGO success in changing certain policies, as well as the attitudes of government officials towards the inclusion of civil society in policy formulation and decision-making. Also, in order to discuss the “watchdog vs. partner” dilemma (Hendriks 2006; Karp 2006), it is important to include the position of NGO employees on participation in consultations with the government, as well as on being a member of national delegations at international conferences. Examples provided by the interviewees of success or “breakthrough” in the realm of SALW export regulations have an important role in assessing the extent of NGO impact concerning arms trade issues.

As a fourth variable, I examined whether the NGO community cooperates before consultations to arrive at a common position, or they rather act as separate voices. The significance of this variable lies in the added information it can provide about the strategies of NGOs, as well as about whether they managed to preserve their independence not only from the government, but also from other NGOs or they had to give up some of their defining characteristics in order to have a stronger impact on government decisions by presenting a unified position.

The *fifth dimension* encompasses the international setting, the legitimacy of Norway in the eye of other countries, the role of the EU and the EU CoC in increased export regulation of SALW and in the process towards an international ATT, as well as the advantages and disadvantages of Norwegian non-membership in the EU. Findings about Norway’s international reputation as it is perceived by NGOs and the implications of non-membership in the EU help to identify the facilitating circumstances and characteristics of NGO-state cooperation. Furthermore, the views of NGO employees on the importance and legitimacy of the EU have significance for the possibility and viability of closer EU-civil society cooperation.

Although the presentation of the different dimensions will mainly focus on the answers given by NGO employees during the interviews, their views will be supplemented by those of governmental officials in order to arrive at a more nuanced picture of the relationship between civil society and the state.

Table 5.1. The variables and the different dimensions they describe.

Variables³	Dimension
V1: Funding, functioning, strategies	D1 Resources for activism
V2: International links	
V3: Human rights, humanitarian, development approach	D2 The Issue of SALW
V4: General problems with SALW export regulation/practices	
V5: The landmine and cluster ammunition campaigns	
V6: Problems with Norwegian SALW export regulations/practices	D3 The SALW Issue in Norway
V7: NGO goals vs. Norwegian strategic interests	
V8: NGOs as experts and consultants	D4 Relationship with the State: Openness, Responsiveness, Independence
V9: Consultations vs. independence	
V10: Examples of success	
V11: Coordination before consultations	
V12: Norway's international reputation	D5 The International Setting
V13: The EU's role and reputation	
V14: Norwegian non-membership in the EU	

³ See the exact description of the different variables in Annex IV.

5.1. D1 Resources for activism

V1 Funding

Out of the seven NGOs included in the sample, only one had a strong policy of not to receive governmental funding at all, “because one of our main roles is to criticize governments, and we don’t want to come into a situation where it could be stated that we receive money from a state and don’t want to criticize them”⁴, as the interviewee put it. However, this organisational policy originates from the international umbrella organisation and was not a decision made by their Norwegian affiliate. That is not to say that the Norwegian organisation disagrees with this policy, but they see the possible disadvantages in terms of lost financial power, though according to their opinion, the political risks and dangers outweigh the possible gains, making this policy “a very correct choice” for their organisation.

Concerning those organisations that receive governmental funding, there are usually two main sources of funding: the MFA and the Norwegian Agency for Development Cooperation (NORAD). Financial assistance provided by the MFA is mostly on a project-to-project basis, similarly to the NORAD funding based on “Single agreements” (Enkeltavtale), which was administered by the MFA before 2004 (NORAD 2009). Furthermore, NORAD also provides funding on the basis of „Framework agreements” (“Rammeavtale”) for three or four years, though it requires that the organisation applying for this kind of funding has cooperated with NORAD for several years. Similarly to the “single agreements”, the purpose of the framework agreements is to support nation-wide organisations in disseminating information about central North-South and development issues among the Norwegian population, and to help them in establishing links to and cooperation with civil society in the global South (NORAD 2009). Since 2001, NGOs only have to raise 10% of the budget on their own, though the MFA and NORAD often provide funding covering 100% of the expenses (Tvedt 2003:91-92).

⁴ Interview 7 with an NGO employee, 30.03.2009.

Furthermore, depending on the issue, some of the NGOs receive funding from other departments, such as the Ministry of Health and Care Services, or the Ministry of Children and Equality in the case of youth organisations.

Two potential problems associated with governmental funding could be mentioned: on the one hand, the project-to-project based funding could result in the agenda-setting role of the government; on the other hand, NGOs could lose their watchdog role and be less critical towards policies as a consequence of state funding, especially if it is only necessary to document that they can raise 10% of the budget by themselves.

In terms of the first concern, the lack of continuity and the need to apply for funding based on project agreements has some backdrops according to the interviewees, since in this case NGOs are obviously “aware of what kind of projects they would fund and what’s that they are not interested in”⁵. However, the interviewee also added that if they would like to work on other issues than those prioritised by the government, they usually get funding from other sources.

Furthermore, since there is an abundance of different governmental funds and the guidelines for what issues to support are rather vague and cover a wide range of topics within development policy (see above), NGOs can frame the issue that they want support for in a way that it fits a certain type of funding – as an interviewee put it: “we generally apply on what we want to work with, and then try to find an angle on the different types of funding you can apply for with that subject”⁶.

An important point made by an interviewee working for an NGO with security policy focus was that apart from some occasional, project-based financial support, they are in a rather difficult financial situation compared to NGOs focusing on humanitarian and developmental issues. If they were to change their focus, though, they were told by the MFA that “it would be very easy to throw money on” them⁷.

⁵ Interview 1 with an NGO employee, 20.03.2009.

⁶ Interview 10 with an NGO employee, 29.04.2009.

⁷ Interview 4 with an NGO employee, 25.03.2009.

However, those organisations active in the field of development policy can navigate quite freely in their efforts to receive financial support for their projects and long-term activities, though of course, there is always a possibility for improvement. As one of the NGO employees put it: “obviously it would be better to be given lots and lots of money every year and then just do what you want with it, and that would make my life easier, but you don’t live in a perfect world, that doesn’t happen”⁸.

Funding vs. independence

In 1962, when the Norwegian government first provided funding for NGOs, the requirement to be able to raise 50% of the budget was seen as a guarantee for preserved independence and links to the people they represent. However, in 1979 the necessary ratio was lowered to 20% and then to 10% in 2001, with the possibility to set the requirement aside in some cases, resulting in a 100% funding, while the debate around the link between independence and the requirement for own funds gradually faded away (Tvedt 2003:88-89;91). Nevertheless, it should also be mentioned that when NORAD funding guidelines were reviewed in 2003, the Foreign Affairs Committee of the Norwegian parliament stressed that the independence and “watchdog” role of civil society should be preserved, and that it is important to have wide public debates concerning the different political choices in development and foreign policy (NORAD 2005).

When asked about the second concern, those interviewees whose organisations receive funding did not give expression of a perceived loss of independence as a result of governmental funding and they do not feel like being controlled by the government concerning what to say: “we have never been under direct pressure to not to talk about some issues or drop the subject. We have always been able to basically say whatever we wanted”⁹. Another interviewee said that they “would never be asked to keep quiet or anything, it’s more the other way”¹⁰: last year the government asked them to make a “stunt” for a certain topic, because the Ministry of Development wanted to have more

⁸ Interview 1 with an NGO employee, 20.03.2009.

⁹ Ibid.

¹⁰ Interview 8 with an NGO employee, 02.04.2009.

attention and awareness around the issue, so they were in a way contracted by the state.

However, one of the interviewees found it problematic that the financial support provided by the government presupposes that the views of the NGO are in accordance with the governmental position: “if (...) there was to be a new governmental funding being non-political in the sense that it would not be a funding for supporting Norwegian views on humanitarian issues and so on, then we would definitely say yes to that money (...), but that’s not how it is these days”¹¹. He also added that as an organisation dealing with radical concepts, they have to be very cautious about whom to accept money from.

All in all, except for one organisation that is strongly against accepting governmental funding and one NGO that has some reservations about the political implications of it, the majority of the NGOs included in the sample receive regular and/or occasional financial support provided by different departments, but mainly by the MFA and NORAD. According to the interviewees, although the project-based system results in some insecurity and an increased focus on issues prioritised by the government, Norwegian NGOs are generally in a good and stable financial situation and manage to finance their activities by using multiple sources.

V2 International links, strategies

Concerning the lobby and/or campaigning activities of the NGOs included in the sample, there is a difference between organisations that are national initiatives and those that are local affiliates of international networks or advocacy groups. In the latter case, there is a division of labour between the umbrella organisation and the local NGOs – while the umbrella organisation is responsible for lobbying at the international level, the local groups lobby their national governments, although Norwegian NGO employees are often members of international steering committees or similar bodies. On the other hand, NGOs not originating from a big international

¹¹ Interview 4 with an NGO employee, 25.03.2009.

umbrella organisation are active at both levels, lobbying the national government as well as international institutions, such as the UN, the EU, etc.

Youth organisations tend to concentrate on the national level, with campaigns in Norway and lobby activism oriented towards the Norwegian government and industry. When it comes to international issues, such as the negotiations evolving around the nascent ATT, they rather try to influence the Norwegian position than lobbying international organisations directly, although they also participate in networks.

5.2. D2 The Issue of SALW

V3 – The humanitarian approach vs. the security approach

As mentioned above, there is only one Norwegian NGO that addresses the SALW issue within the framework of security policy. Although it is popular to talk about the securitisation of different issues in international politics, the discussion of SALW is rather characterised by an opposite trend: “what was initially quite a securitised thing, has been desecuritised in that the main focus, I would say, is now on development”¹². According to the interviewee, this change in focus can be explained by two main reasons:

1. The desecuritisation was a pragmatic move by the NGO community, given that it is easier to acquire financial support for activities related to development and humanitarian issues than to security policy. Furthermore, as another interviewee pointed out, campaigning on development and humanitarian issues is easier and more powerful, because NGOs can use photos depicting human suffering taken in the field, “big posters of crying children or people in hospital, or people lacking a limb”, making the campaign “morally much more weighty”¹³.

¹² Interview 1 with an NGO employee, 20.03.2009.

¹³ Interview 2 with an NGO employee, 24.03.2009.

2. Since small arms do not present a security problem for Western countries like Norway, it was a logical choice to discuss the negative effects of the proliferation of SALW in developing countries where it is a question of human security, making it relevant for the development and humanitarian policy of Western countries. Furthermore, in many countries it is easier to discuss a development problem than a security problem: “by taking away the security focus, it does sort of open up an area of discussion which would otherwise be closed”¹⁴. Another interviewee put it this way: „it’s also a lot easier to be a spokesperson for the disabled and the victims, than it is being the spokesperson for other states that we’re not friendly with”¹⁵. Moreover, the use of this framework helps to escape the „conflict paradigm”, as one interviewee pointed out, because it extends the narrow focus on war and armed violence to include internal oppression by militant groups and its implications for human security and development¹⁶.

Apart from the advantages of using a humanitarian and development framework, the problematic and politically-laden character of the alternative terrorism debate also drives activists towards using the former framework instead of the latter one. „If you enter that approach (*i.e. the terrorism approach*), or if you enter that dialogue or discussion, then as a neutral, independent, humanitarian organisation we would have (...) great difficulties with not being trapped in some kind of arguments”¹⁷. Thus, most of the interviewees said that they would rather avoid linking the SALW issue to terrorism. Although they touch upon the concerns about the acquisition of weapons by non-state groups, they do that rather in the context of contributing to human rights violations and hampering development than terrorism. Generally, they do not want to enter the terrorism debate, because „it takes

¹⁴ Interview 1 with an NGO employee, 20.03.2009.

¹⁵ Interview 4 with an NGO employee, 25.03.2009.

¹⁶ Interview 2 with an NGO employee, 24.03.2009.

¹⁷ Interview 3 with an NGO employee, 25.03.2009.

focus away from what we believe is most important, not the people in the West, but people in developing countries”¹⁸.

Although it is common for the NGOs included in the sample that they discuss the SALW issue from a humanitarian and development perspective, they address different aspects and tend to have a specialised mandate and expertise. While Amnesty International focuses on the human rights aspect, the Norwegian Red Cross has international humanitarian law as a starting point. The Norwegian Church Aid and Changemaker apply a South perspective, and PRESS – Redd Barna Ungdom focuses on children’s rights.

When asked about possible disadvantages of using human rights as a starting point, they mentioned that it could be problematic and difficult to assess what constitutes a human rights violation on the one hand, and that it does not address armed violence committed by non-state groups, on the other hand, because these groups are not subject to human rights law.

A change in approach has also manifested itself in the organisational set-up of the MFA. Within the MFA, the small arms portfolio had previously been administered by the Section for Disarmament, Non-proliferation and Export Control, which is a part of the Department for Security Policy and the High North, but it was recently assigned to the Section for Humanitarian Affairs under the Department for UN, Peace and Humanitarian Affairs. The reason for this reorganisation was that within the MFA the small arms issue was also perceived of as “a humanitarian and a developmental problem, not a security policy issue, not a traditional disarmament or arms control issue”¹⁹, and the political leadership wanted to place it “under the same umbrella of humanitarian disarmament”²⁰, which already included the successful cluster ammunition and landmine portfolios. According to the interviewee, the humanitarian approach gained popularity “because it delivered a result (*in the case of the landmine*

¹⁸ Interview 9 with an NGO employee, 03.04.2009.

¹⁹ Interview 6 with a state employee, 27.03.2009.

²⁰ Ibid.

and cluster ammunition processes), and for politicians that's a very convincing argument"²¹, though civil society also had a crucial role in triggering a change.

Nevertheless, it should also be mentioned that the NGO that in contrast to the other organisations included in the sample has a security policy focus still discusses the SALW issue in the framework of security. However, as demonstrated in the section about funding, the security approach is undoubtedly less successful than the humanitarian or development perspective, probably also as a result of the change in focus within the MFA.

V4 – General problems with SALW export regulation

When asked about the perceived problems of the current SALW export regulations, two recurring issues were mentioned.

End-user certificates and control of re-export: In many instances, arms export is carried out without demanding an end-user certificate, and thus, although the weapons were probably sold to a responsible actor and to a country which is not at war and does not violate international humanitarian law or human rights, the weapons can be re-exported without the producing/exporting state being aware of the transfer. Even in states with a rather strict export control regime, such as NATO countries, it is common practice that in the case of weapon transfers within the Alliance an end-user certificate is not demanded. On the other hand, even if the end-user certificate is a requirement for arms export, there are no follow-up mechanisms in place. Still, even if there are good monitoring practices implemented, the criteria used to assess whether an arms transfer to a certain actor should take place are often questionable. One of the interviewees mentioned the United States as an example of a state that has strong enforcement mechanisms on end-user controls, although the criteria they use are

²¹ Interview 6 with a state employee, 27.03.2009.

widely debated – “they can sell weapons to actors that violate human rights, but at least they know they did, and they know where the weapons ended up”²².

A further problem associated with end-user agreements originates from the globalised character of arms production – more and more frequently, different parts and components of weapons are produced in several countries spread around the world, and thus it is problematic to decide which country is the final producer that should ask for an end-user agreement. This problematique is also linked to the second group of issues concerning the current SALW export regulations, namely the lack of universal standards – in order to efficiently regulate the global trade and production of SALW, a “a globally enforced control regime”²³ is essential.

This non-regulated character of arms trade has far-reaching consequences – as one of the interviewees pointed out, “a lot of weapons have a very legitimate first transfer”²⁴, but as a result of uncontrolled re-export they often end up in the black market. Thus, the need for demanding an end-user certificate from all customers, even within military alliances, and putting in place monitoring mechanisms to actually control these agreements, are identified as major problems by NGO employees, contributing to armed violence around the world by enabling access to weapons for actors that otherwise could not acquire them. A point made by one of the interviewees sums up the concerns: “It’s very difficult to go back one step when an arms transfer has been made, so it’s very difficult to prosecute deliveries of arms to perpetrators of international humanitarian law, perpetrators of genocide, etc”²⁵.

Lack of universal standards and the need for a comprehensive treaty: Although there are many examples of successful regional export control regimes, such as the EU CoC, the Nairobi Protocol or the ECOWAS Convention, “there’s no communication between the different regional regimes”, and they regulate different things with a

²² Interview 2 with an NGO employee, 24.03.2009.

²³ Ibid.

²⁴ Ibid.

²⁵ Interview 3 with an NGO employee, 25.03.2009.

different language, based on different criteria and demands for implementation²⁶. Another interviewee also identified the fact that “there are no universally accepted criteria for arms transfers” as a major problem²⁷.

The need for an international ATT to harmonise the different regional and weapon-type specific agreements was also stressed by another NGO employee and that “getting an agreement that covers everything from handguns to military helicopters is important”²⁸. Furthermore, he stressed that it is crucial that besides various types of weapons, also components, parts, expertise and licenses are included in a future ATT.

The same interviewee also pointed out that “there are limited regulations concerning the human rights aspect and the international humanitarian law aspect”²⁹, and that it should be clear in a future international arms trade agreement that it is a decisive factor when issuing export licenses what the arms are going to be used for. However, he added that the inclusion of these aspects makes a potential treaty more comprehensive and in a way more problematic – while it is rather unproblematic to determine whether there is a war in a country, it is difficult to universally agree on what constitutes a human rights violation and where the limits are.

V5 – The landmine and cluster ammunition campaigns

Since the landmine and the cluster ammunition campaigns are the best examples to demonstrate how successful NGOs can be in influencing states all over the world, it is a logical step from the NGO community to make attempts to treat the process towards the ATT as a continuation of the previous campaigns. As one of the interviewees put it: “You saw the fantastic success of the landmine, everything that happened there, everything that started out as some, quite a few called a naïve campaign, and ended up

²⁶ Interview 2 with an NGO employee, 24.03.2009.

²⁷ Interview 3 with an NGO employee, 25.03.2009.

²⁸ Interview 7 with an NGO employee, 30.03.2009.

²⁹ Ibid.

in a very strict prohibition on all landmines”³⁰. However, another interviewee argued that although there are several NGOs that try to make a connection between these campaigns, it is “not a very wise thing to do, because both the theme, the strategic relevance and the legal process are as different as it can be”, and therefore to compare these processes is “a very wrong way of thinking”³¹, while another interviewee meant that these processes are “not comparable at all”³².

Among the reasons for the different character of the ATT process, the interviewees mentioned the complicated nature of regulating trade in small arms which is “deemed by all states in the world to be legitimate and legal”³³. Therefore, as argued by another interviewee, “the Control Arms campaign had to be more complicated and detailed” compared to the landmines and cluster ammunition campaigns that were simply seeking to ban something that was seen as “morally unacceptable” by most states and did not serve “any significant military purpose”³⁴.

In contrast to banning certain types of arms, the ATT has the aim of establishing a “complex set of regulatory measures to ensure that arms exports and arms transfers are carried out as responsibly as possible” which again makes the issue complicated. Thus, the campaign “had to spend a lot of resources on basically getting experts and lawyers to develop that argument”. Furthermore, the campaign itself has different characteristics, because it is considerably more difficult to campaign on a set of regulations than on banning something³⁵.

Also, there is a major difference between the landmines and cluster ammunition issue on the one hand, and SALW on the other hand concerning their thematic reach, because the concept of SALW covers a “wide range of weapons”³⁶ and is not limited to one type of weapon.

³⁰ Interview 3 with an NGO employee, 25.03.2009.

³¹ Interview 4 with an NGO employee, 25.03.2009.

³² Interview 3 with an NGO employee, 25.03.2009.

³³ Interview 4 with an NGO employee, 25.03.2009.

³⁴ Interview 2 with an NGO employee, 24.03.2009.

³⁵ Ibid.

³⁶ Interview 7 with an NGO employee, 30.03.2009.

A further point made by one of the interviewees was that “landmines and cluster ammunitions by their nature cannot distinguish between a civilian and a combatant” and that distinction is a fundamental principle of international humanitarian law³⁷. On the other hand, small arms “are fired by a person, and it’s the person who distinguishes between targets”, which again makes the issue of regulating small arms complex.

As another distinguishing factor an interviewee mentioned the character of the process itself: while the landmine and cluster ammunitions campaigns were processes outside the UN, the ATT is a UN process that requires consensus and can be stopped by the powerful countries using their veto right³⁸. According to the interviewee, this makes the government officials at the MFA who previously worked on the successful processes outside the UN sceptical towards the ATT process. This assumed scepticism was corroborated by one of the government officials: “now we will have like 3 years of work, and we already decided to waste one year, by deciding that this year should only be general exchange of views, and with a report that has to be done by consensus to the Secretary General. And if you have the set-up you have in the room, what are you going to get consensus about? You’re going to get consensus about we met, we’ve discussed”. The interviewee also added that “if the ATT is going to deliver as little as I fear, then maybe it’s a waste of time”³⁹.

When it comes to the experiences gained and lessons learned from the landmine and cluster ammunition processes, the significant role that civil society can play is definitely a central point. Both a government official and an NGO employee mentioned the importance of bringing the “field perspective”⁴⁰ and “the realities from the ground”⁴¹ to disarmament processes that traditionally have a “closed room approach”, often leading to failure⁴².

³⁷ Interview 3 with an NGO employee, 25.03.2009.

³⁸ Interview 10 with an NGO employee, 29.04.2009.

³⁹ Interview 6 with a state employee, 27.03.2009.

⁴⁰ Interview 3 with an NGO employee, 25.03.2009.

⁴¹ Interview 6 with a state employee, 27.03.2009.

⁴² Ibid.

These two processes also showed that the international community “will not get a treaty that covers so much and so focused as these two treaties without the NGOs”⁴³. This significant role of civil society in these processes was also acknowledged by one of the government officials, who emphasised that “if you leave states too much to themselves, in places like Geneva with a bunch of diplomats with polished shoes, you’re not coming at anything”⁴⁴.

Furthermore, it was mentioned by NGO employees that these processes showed that coordination among themselves is essential in achieving their goals, and that the Norwegian government is open to cooperation with civil society, although according to one of the NGO employees, this openness depends on the implications of the issue, for instance the impact it has on arms trade with other countries in the case of regulating arms exports⁴⁵.

5.3. D3 The SALW Issue in Norway

V6 – Problems with Norwegian SALW export regulations/practices

V7 – NGO goals vs. Norwegian strategic interests

With regards to problems associated with Norwegian SALW export practices and regulations, most of the interviewees stressed that in general, Norway has rather good mechanisms for regulating arms trade and taking into consideration human rights and humanitarian aspects when deciding about issuing export licenses. However, they see many possibilities for improvement: “we don’t think that the Norwegian export regime is strict enough, but it is the best in the world, but the Norwegian regime has to be better”⁴⁶. Furthermore, although they assign a high value to a future ATT, its implications for Norway are minimal given that Norwegian regulations are already stricter than an international agreement will be. Thus, many of them would like

⁴³ Interview 7 with an NGO employee, 30.03.2009.

⁴⁴ Interview 6 with a state employee, 27.03.2009.

⁴⁵ Interview 4 with an NGO employee, 25.03.2009.

⁴⁶ Interview 8 with an NGO employee, 02.04.2009.

Norway to set an example for other countries: “we want Norway to be a forerunner and like a best practice country”⁴⁷.

Concerning potential improvements, the answers evolved around three main topics: end-user certificate, transparency and state ownership in arms producing companies.

End-user certificate: All of the NGO employees included in the sample identified it as a major problem that Norway does not demand end-user certificates from NATO and Nordic countries – “when it comes to your allies, they say that it’s sort of practice that you don’t use it”⁴⁸. The problem with this practice is that there are several documented cases of re-export from NATO countries to destinations where Norway would not export to, based on the export guidelines⁴⁹.

One of the interviewees mentioned that they are often confronted by the government saying that if NGOs think that Norwegian weapons end up in places where they should not, then the NGOs must prove it. However, the interviewee argued that it is the government that should know and prove where the arms are, even after they have been exported, “because selling weapons is not like selling rice”, and “right now, they’ve got zero control over Norwegian weapon exports”⁵⁰. According to another NGO employee, the state secretary at the Ministry of Trade said in an interview that “that’s a dilemma: when you choose to be a weapon exporter, then you can’t know where your weapon is ending up”⁵¹, upon which the NGO came with specific recommendations about how to trace the journey of Norwegian weapons so that they know where they are ending up.

When asked about possible reasons for not demanding an end-user certificate from NATO and Nordic countries, the main reasons identified by the interviewees were alliance politics and the protection of the arms industry. One of the interviewees

⁴⁷ Interview 9 with an NGO employee, 03.04.2009.

⁴⁸ Interview 7 with an NGO employee, 30.03.2009.

⁴⁹ Interview 4 with an NGO employee, 25.03.2009.

⁵⁰ Interview 10 with an NGO employee, 29.04.2009.

⁵¹ Interview 8 with an NGO employee, 02.04.2009.

mentioned that they were told by the MFA that “the first principle in an alliance like NATO is to trust each other, and then we can’t ask them where you’re selling Norwegian weapons to” and that the MFA tends to compare this to the trust in mutual defence in case of an attack⁵².

The government’s concerns identified by NGO employees about having a good relationship with allied countries were corroborated by the reasons given by one of the government officials. The interviewee said that “it is actually a political decision” and “a security and foreign policy issue who we sell military equipment to”⁵³. In terms of re-export from NATO countries and the participation of NATO countries in war-like activities (e.g. the military operations in Iraq and Afghanistan), which is heavily criticised by NGOs, the interviewee argued that “when we sell to an allied country (...), we don’t put any geographical limitations on where they can use their own materiel” and this is “part of a bigger security and foreign policy issue again”⁵⁴.

On the other hand, NGO employees also mentioned the protection of the Norwegian arms industry as a potential reason for not demanding end-user certificates – according to them, the government is afraid that if they put restrictions on the exported arms concerning re-export, they would lose customers⁵⁵. As a specific example an NGO employee mentioned that with the US being the best customer of Norway, demanding an end-user declaration from them could be problematic, both from the industrial and the alliance politics aspect⁵⁶. Furthermore, another interviewee argued that “we (*Norway*) are exporting as much as we do because many countries are selling the ammunition further” and a decrease in weapon exports would lead to the loss of jobs in Norway⁵⁷. As she pointed out, with the Labour Party saying that they want to protect jobs, this would have significant political consequences with elections coming up in September 2009.

⁵² Ibid.

⁵³ Interview 5 with a state employee, 26.03.2009.

⁵⁴ Interview 5 with a state employee, 26.03.2009.

⁵⁵ Interview 10 with an NGO employee, 29.04.2009.

⁵⁶ Interview 9 with an NGO employee, 03.04.2009.

⁵⁷ Interview 8 with an NGO employee, 02.04.2009.

Transparency: Lack of transparency and difficulties concerning access to information were also recurring themes when asked about problems with the Norwegian SALW export regulations and practices. Although transparency has improved a lot over the years and Norway is a forerunner compared to many other states, the government could certainly follow the example of best practice countries and provide more information⁵⁸.

As pointed out by one of the government officials, this improvement concerning transparency was a result of both the EU CoC and a high-level political decision by the Minister of Foreign Affairs in Norway, leading to the department and the section making efforts to be as transparent as possible⁵⁹.

Nevertheless, one of the NGO employees found it generally problematic to get information about Norwegian arms exports, because the annual report published by the Section for Disarmament, Non-proliferation and Export Control about weapon transfers is too general and too broad, making it difficult to find the exact information one is looking for. Furthermore, since the report is published every year around June, the time lag between transfers that took place for example in January and are published in June next year is too big: “so often we don’t get the numbers to work with, and then it’s too late to do something about it”⁶⁰.

A further issue concerning transparency was mentioned by another interviewee – besides transparency about Norwegian arms trade in general, they demanded transparency in terms of the Nammo Group, a company with state shares amounting to 50% and a major actor in the arms industry with worldwide reach. The NGO finds it necessary to have access to Nammo’s marking system, since the company has a marking system in place but it is not possible for NGOs to access these databases containing information about where the weapons were sold to and whether they were re-exported⁶¹. According to the interviewee, the lack of transparency concerning

⁵⁸ Interview 1 with an NGO employee, 20.03.2009.

⁵⁹ Interview 5 with a state employee, 26.03.2009.

⁶⁰ Interview 10 with an NGO employee, 29.04.2009.

⁶¹ Interview 8 with an NGO employee, 02.04.2009.

Nammo's activities is problematic, because "we don't know that Nammo in Finland is exporting to Saudi Arabia, but we know that Finland is exporting to Saudi Arabia", and thus it could very much be the case that Nammo has exported to Saudi Arabia, where Norway would not export weapons to. Similarly, "Germany for a long time, at the latest in 2007, exported weapon and ammunition to Congo, and we don't know if that was Norwegian weapons but it could have been"⁶².

State ownership: The Norwegian state's ownership in arms producing companies such as the Kongsberg Group and the Nammo Group was also frequently mentioned by the interviewees, especially in the context of Corporate Social Responsibility (CSR). In January 2009, the MFA published a White Paper discussing CSR, saying that central to the concept is the responsibility that corporations should take for the people, the society and the environment that their activities affect (MFA 2009a:7). Concerning state-owned companies, the document says that these corporations should play a leading role in showing social responsibility. Furthermore, it stresses that if the state does not enforce the high CSR standards through its ownership, then it could weaken the legitimacy of the state as a legislator or in foreign policy issues (ibid: 16). Based on this White Paper, Norwegian civil society demanded "the same rules for Nammo producers in all countries" and "the same system and transparency" concerning marking and tracing of ammunitions in Norway and Germany, as well as that the government should explicitly state "that Nammo in the US has to follow the same strict rules as in Norway"⁶³ seem to be logical requests by the Norwegian civil society. Thus, the answer they got, according to the interviewee, from the state secretary at the MiTI regarding Nammo's overseas business activities came as a surprise: "I don't believe in enforcing better rules for companies in other countries (...), all producers have to follow the regimes of the country they are in"⁶⁴.

The issue of state ownership was also emphasised by another interviewee: "the Norwegian government should use their ownership or their shares in small arms and

⁶² Ibid.

⁶³ Interview 8 with an NGO employee, 02.04.2009.

⁶⁴ Ibid.

ammunition producing companies to try to enforce some kind of marking practices from all state-owned companies”⁶⁵. The interviewee’s organisation tried to lobby the MiTI to make Nammo publish an ethical Code of Conduct with all Nammo-owned companies subjected to it. Although Nammo finally published a Code of Conduct, the interviewee said that “the final Code of Conduct wasn’t at all what we wanted, of course, but they just said that any production or export will be in line with the national government regulation in each country we’re producing in”⁶⁶. Indeed, the Code of Business Conduct on Nammo’s website states that “Nammo shall comply with the laws and regulations of the export regime of the respective countries from which Nammo exports its products and services” (Nammo 2008:5). This is very much in line with the statement made by the state secretary at the MiTI, quoted by the NGO employee above. However, the interviewee also added that it might not be popular to enforce the same regulations for licensed production and for Nammo companies in other countries, such as in the US, which could explain the position of the aforementioned state secretary.

Furthermore, one of the interviewees pointed out that the government often states that Norway is not a small arms exporting country, because they use definitions that do not include ammunitions in the category of SALW, such as the UN Firearms Protocol⁶⁷. Indeed, one of the government officials found it important to stress several times that “we are not a producer of military small arms, we don’t export military small arms” and used phrases like “if we should export arms, it’s a hypothetical question, but if we were to export small arms”⁶⁸ to emphasise that Norway is not exporting small arms. The NGO employee found this practice problematic, because “the small arms issue is not an issue if you don’t have ammunition (...), you can stop wars by cutting ammunition flows”, and he argued that the government is covering up the issue by using the narrow definition of SALW⁶⁹.

⁶⁵ Interview 9 with an NGO employee, 03.04.2009.

⁶⁶ Ibid.

⁶⁷ Interview 4 with an NGO employee, 25.03.2009.

⁶⁸ Interview 5 with a state employee, 26.03.2009.

⁶⁹ Interview 4 with an NGO employee, 25.03.2009.

5.4. D4 Consultations

V8 NGOs as experts and consultants

According to the majority of the interviewees, both from the NGO and the state side, the consultations came about as a result of a natural process. Actors from both sides exchanged e-mails and shared their views on different topics with ongoing communication at a less intense level. As one of the interviewees pointed out, “the good thing about the Norwegian system is that the barriers between the government and organisations are not that high and we’re listened to”⁷⁰. These consultations generally have an ad hoc character – the most typical occasions are international conferences, white papers presented to the parliament, the publication of government reports, etc. Although these meetings are not regular in the sense that they are not scheduled for certain dates in every month, the government has “a very open door towards the NGOs”⁷¹, and thus meetings are organised if there is a demand from either the state or the civil society side: “They invite us when they feel they need some input, and we invite ourselves when we feel that we need to provide that input”⁷².

In terms of the usefulness of these consultations, several interviewees see them as a “one-way dialogue”⁷³, and one of them even argued that “when you have your NGO-hat on and you’re making recommendations, then most of the time the governments ignore you, that’s how life is”⁷⁴. Still, the majority of the interviewees assign a high value to the consultations and presenting their views to the government: “if we don’t share our perspectives and our knowledge, we’re kind of pointless”⁷⁵. Or as another interviewee put it: “having those kinds of consultative arenas is very important for us, as well as for the government, because good policy is not made in a vacuum”⁷⁶.

⁷⁰ Interview 3 with an NGO employee, 25.03.2009.

⁷¹ Interview 5 with a state employee, 26.03.2009.

⁷² Interview 3 with an NGO employee, 25.03.2009.

⁷³ Interview 7 with an NGO employee, 30.03.2009.

⁷⁴ Interview 1 with an NGO employee, 20.03.2009.

⁷⁵ Interview 2 with an NGO employee, 24.03.2009.

⁷⁶ Interview 4 with an NGO employee, 25.03.2009.

Indeed, one of the government officials emphasised concerning consultations that “it’s not like we’re here in a vacuum, so it’s an important interaction”⁷⁷.

Furthermore, an interesting point was made by another government official regarding the importance of NGOs expressing radical views and going further in their position than the Norwegian government, thus providing a wider negotiation room for the government: “most diplomats in their head have the idea that a good outcome is a compromise, it’s sort of the middle ground where you really should be in the end, but the middle is somewhere between two extremes, and we need to have that room wide enough to get sufficient movement”⁷⁸. The interviewee also highlighted the crucial role of civil society in the landmine and cluster ammunition processes, and that cooperation between the state and the NGOs is essential because very often certain forums are not willing to include the civil society’s perspective and facts. Thus, the Norwegian government plays a major role by insisting on including civil society in negotiations and providing the room for them to present these facts⁷⁹.

At the consultations, NGOs mostly function as informants providing background information, as external consultants and informal advisors. As it was pointed out by one of the interviewees, they are often invited to share their opinions on specific issues when the government is entering a dialogue with national and/or international actors, and the NGO opinion will often be a part of the official views⁸⁰. Indeed, the demand from the government’s side to have the civil society help to form their position was corroborated by the state employees included in the sample. The contributions made by civil society were perceived as valuable, although one of the government officials stressed that the NGO community should not be seen as one, because they all have different characteristics that are useful in different situations and topics. As the interviewee put it: “I’ll sort of go shopping, I’ll find who do I think will be able to

⁷⁷ Interview 5 with a state employee, 26.03.2009.

⁷⁸ Interview 6 with a state employee, 27.03.2009.

⁷⁹ Ibid.

⁸⁰ Interview 3 with an NGO employee, 25.03.2009.

move things forward and actively deliver something, bring something to the table, and they will be my favourite partner”⁸¹.

Both this government official and one of the NGO employees mentioned a meeting that took place before a UN conference – however, interestingly enough, both of them complained about the other not having a clear and well-formed position, and both sides seemed to expect to get help from the other side in forming their standpoints.

V9 Consultations vs. independence

In terms of the “watchdog vs. partner” dilemma, none of the NGO employees included in the sample found it problematic to participate in consultations with the government. As one of the interviewees put it: “being in a dialogue, a close dialogue, would not undermine that independence, as long as it is respected by both parties”⁸². Another interviewee argued that “though we are very close to the government, yes, absolutely, we are not bought up by the government”⁸³. Furthermore, the consultations are seen as important and necessary arenas for interaction with the government, since in order to make attempts to change the government’s position, they need to have contact⁸⁴. A statement made by another interviewee sums up the NGO standpoint quite accurately: “we’re activists and we work towards one goal, which is better control of arms trade in the world, we’re not going to be government dolls because of that (*i.e. the consultations*), we still have our points and things that are important to us, and we’re not going to let them go, at least not that easily”⁸⁵.

Nevertheless, numerous interviewees emphasised that whether participation in consultations is perceived as problematic depends on the government in question and the actors involved in the consultations. Trust and positive experience was mentioned

⁸¹ Interview 6 with a state employee, 27.03.2009.

⁸² Interview 3 with an NGO employee, 25.03.2009.

⁸³ Interview 4 with an NGO employee, 25.03.2009.

⁸⁴ Interview 7 with an NGO employee, 30.03.2009.

⁸⁵ Interview 10 with an NGO employee, 29.04.2009.

frequently: “we need to trust the government and the government needs to trust us”⁸⁶; “if I didn’t trust the people who were in that position to do that (*i.e. abuse the situation*) at those places, I would be very afraid”⁸⁷. Furthermore, the interviewee stressed the importance of having clear roles and an NGO leadership with strong legitimacy and backbone to avoid getting into a “soft relationship” with actors that an NGO should not have a soft relationship with.

When asked about whether they are afraid of being used by the government to legitimise the official position, none of the interviewees expressed fear, although one of the NGO employees said that the government would certainly try to do that sometime in the future. Apart from this interviewee, the NGO position can be summed up by the following quote: “we would never accept to be taken into account for standpoints that we don’t have – this is from my experience with the Norwegian government, but they would never come with positions that question our independence from the government, either”⁸⁸. Another interviewee argued that NGOs are often useful for the government in that they can say things that the government cannot, but she stressed that in many instances the NGOs use the government, as well⁸⁹. Thus, the consultations have the characteristics of a relationship that is mutually beneficial. As one of the government officials put it: “to make the meetings valuable you have to see that ok, we can work together, not being the same, it’s important to have a clear idea and understanding of the different roles, but to see that this is a valuable partnership”⁹⁰.

However, being a member of the national delegation at international conferences was perceived as more problematic than participation in consultations. Two organisations had a clear policy about not being a member of national delegations, but both of them mentioned that this policy could be difficult to pursue by smaller NGOs without

⁸⁶ Interview 3 with an NGO employee, 25.03.2009.

⁸⁷ Interview 4 with an NGO employee, 25.03.2009.

⁸⁸ Interview 7 with an NGO employee, 30.03.2009.

⁸⁹ Interview 9 with an NGO employee, 03.04.2009.

⁹⁰ Interview 6 with a state employee, 27.03.2009.

ECOSOC accreditation⁹¹. The reason for this decision lies in the various dangers associated with being a member of the delegation: “there is always a threat that you could be used, saying well, but they were a member of our delegation, they had the possibility to speak, so you would more or less be a hostage or you could be a hostage”⁹². Also, by standing outside, these NGOs have the freedom to express and support views that are not necessarily in accordance with Norwegian policies⁹³.

Both the above mentioned two NGOs and interviewees that do not see any problem with being a member of national delegation emphasised that the national settings are decisive factors concerning the implications of this kind of cooperation. As one of the interviewees who has been a member of the Norwegian delegation argued: “my experience is that it’s not a problem with the Norwegian MFA, they kind of know who you are, and I think they appreciate really the independence of the civil society, NGOs and the researchers(...) and you’re never obliged to support any policy”⁹⁴. Another interviewee representing an organisation that chose the stand outside acknowledged that there is a “fantastic understanding from the government of the position of the NGOs and they don’t abuse their position”, but he also stressed that the situation can be very different in other countries - “so, it’s about sending a signal to the rest of the world, as well”⁹⁵.

Those interviewees that did not oppose being a member of the national delegation chose to do so because of pragmatic reasons – getting accreditation through the Norwegian delegation is the easiest way to gain access to the negotiations.

⁹¹ The UN Department of Economic and Social Affairs can grant consultative status for NGOs through the Economic and Social Council (ECOSOC). NGOs with ECOSOC accreditation can attend participate and in UN conferences and meetings of preparatory bodies (UN 2008).

⁹² Interview 3 with an NGO employee, 25.03.2009.

⁹³ Interview 7 with an NGO employee, 30.03.2009.

⁹⁴ Interview 2 with an NGO employee, 24.03.2009.

⁹⁵ Interview 3 with an NGO employee, 25.03.2009.

V10 Examples of success

When asked about whether they could name some cases where the government changed some policies as a result of NGO influence, none of the interviewees reported a breakthrough or a radical change in the governmental position. However, most of them felt that they had “small victories”⁹⁶ and that civil society has certainly affected the MFA positions to an extent, but not in the form of a radical change⁹⁷. Two examples of rather clear success were mentioned: in 1993, one of the NGOs were told by the Norwegian MFA that “well, that is just naive to believe that there’s going to be a ban” on landmines, but two years later the Norwegian government was working towards a ban with the support of the parliament⁹⁸. Similarly, another interviewee mentioned that Norway engaged in the ATT process as a result of civil society pressure, although he also added that it is difficult to determine whether it was their contributions or the UK government that made the impact⁹⁹. However, the changed international settings could also have accounted for the policy change in the first example.

In terms of the small victories, improved transparency and increased awareness were identified by both the government and the NGO side. Furthermore, several interviewees pointed out that an “NGO language” is more and more frequently appearing in government documents. As a specific example, one of the interviewees mentioned that they started to use the term “*krigsmateriell*” (war materiel) instead of “*other strategic goods*” to make it clear that these products “enhance other foreign states’ military ability and strategic relevance, and strategic balance” – interestingly enough, he said, the government recently started to use this term in official documents, which can be a sign of NGO impact¹⁰⁰. As the interviewee pointed out, “these are battles of words, but those words are very important, extremely important”.

⁹⁶ Interview 9 with an NGO employee, 03.04.2009.

⁹⁷ Interview 2 with an NGO employee, 24.03.2009.

⁹⁸ Interview 3 with an NGO employee, 25.03.2009.

⁹⁹ Interview 7 with an NGO employee, 30.03.2009.

¹⁰⁰ Interview 4 with an NGO employee, 25.03.2009.

Furthermore, another NGO employee named the inclusion of democratic criteria in the export guidelines as a small victory, as well as the publication of an Ethical Code of Conduct by Nammo. Although the latter was not at all what they wanted (see p.69.) it was obvious that the company formulated the Code of Conduct in reply to the NGO inquiries – “it’s not a big thing, but it’s a sign of influence, at least”¹⁰¹. Also, since the CoC has been published, the NGOs have a document they can refer to when highlighting the problems associated with the practice of state-owned companies.

VII Coordination before consultations

None of the interviewees found it necessary to cooperate before consultations and harmonise their views on a certain topic. One of the interviewees mentioned that they often discuss their positions on an ad hoc and informal basis, and they tend to agree “*about the substantive issues*”¹⁰². However, several interviewees mentioned that it would take too much time and effort to arrive at a common position, and that probably they would agree on identifying the most important issues, but not on the ranking of these issues¹⁰³. Furthermore, many of them emphasised that “the more individual voices there is, the better, the stronger it is” and that “each organisation has a mandate, and each organisation has their focus area”¹⁰⁴. Also, they often work at different levels and focus on the areas that they are best at, which are different things¹⁰⁵. One of the interviewees also found it important to uphold an independent stand from other NGOs and publishing their views even if other NGOs will criticise them, and was strongly against harmonising NGO views¹⁰⁶.

¹⁰¹ Interview 9 with an NGO employee, 03.04.2009.

¹⁰² Interview 1 with an NGO employee, 20.03.2009.

¹⁰³ Interview 7 with an NGO employee, 30.03.2009.

¹⁰⁴ Interview 3 with an NGO employee, 25.03.2009.

¹⁰⁵ Interview 4 with an NGO employee, 25.03.2009.

¹⁰⁶ Interview 2 with an NGO employee, 24.03.2009.

5.5. D5 The International Setting

V12 Norway's international reputation

As it was pointed out by one of the interviewees, “Norway’s got a fair legitimacy after their involvement both with the landmine convention and clusters convention, and also just because of their reputation in the world”¹⁰⁷. The good reputation was also emphasised by the government officials included in the sample: “we are very popular in the sense that we can give some credibility and it’s good to feel that there’s interest in our views”¹⁰⁸. “I think we have, for several reasons, had quite a good, very strong legitimacy and standing on these issues”, not only because of the role that Norway has played over the years as a peace promoter, but also because they “show it in real policy” in the case of arms exports, as well¹⁰⁹.

However, these positions expressed by government officials are in contrast with the views of NGO employees in general, especially in the context of Norway being a peace nation and arms producer at the same time. As one of the interviewees summed it up: “there’s a dilemma between being an arms producing country, one of the world’s largest arms producing countries, and also being very focused on development and human rights and peace, without being able to guarantee that the weapons that we produce aren’t used contrary to development, human rights, humanitarian law”¹¹⁰. Another NGO employee emphasised that Norway’s legitimacy is questioned if the government cannot know for sure whether Norwegian ammunition is killing civilians in the same countries where they promote peace, and if they do not address this problem by making necessary changes to the export regime¹¹¹. This contradiction between the peace nation rhetoric and activism on the one hand, and Norwegian arms trade practices (e.g. the lack of end-user agreements in many cases, as well as marking and tracing) on the other hand, was identified as a key problem by the majority of the interviewees.

¹⁰⁷ Interview 2 with an NGO employee, 24.03.2009.

¹⁰⁸ Interview 6 with a state employee, 27.03.2009.

¹⁰⁹ Interview 5 with a state employee, 26.03.2009.

¹¹⁰ Interview 9 with an NGO employee, 03.04.2009.

¹¹¹ Interview 8 with an NGO employee, 02.04.2009.

Nevertheless, some of the interviewees not only emphasised the above mentioned contradiction as something that needs to be addressed in order to preserve Norway's legitimacy and reputation, but they questioned the legitimacy itself. According to one of the interviewees, Norway is seen as "just another Western country"¹¹² by the global South, while another NGO employee put it this way: "I don't think they look at Norway with any other eyes than they look at Saudi Arabia or Russia"¹¹³. Furthermore, it was also pointed out by an interviewee that peace promotion is rarely non-political and that he "would be surprised if someone claimed that Norway was always seen as neutral by all parties in the world"¹¹⁴. Thus, according to the interviewees, the international legitimacy and reputation of Norway is both endangered by the fact that Norway is a leading arms producer, and stands on weak grounds.

V13 The EU's role and reputation

When it comes to the role that the EU plays in regulating small arms exports and the impact of the EU CoC, the majority of the interviewees has a positive view about the European efforts. Several interviewees mentioned that the EU CoC plays an important role in the process aiming for an international ATT because it has "given momentum to the process"¹¹⁵, and that the ATT can draw from the CoC because it is an efficient regime that has "gone fairly far in implementing human rights, humanitarian law" and other important aspects¹¹⁶. Although according to one of the government officials, even after the EU CoC has become legally binding, arms export is still seen as a political decision that each government can take "according to their own security interests or foreign policy issues"¹¹⁷, in most EU countries, the CoC "has created a lot of critical debate on who they sell arms to and why they cannot use the export criteria

¹¹² Interview 2 with an NGO employee, 24.03.2009.

¹¹³ Interview 7 with an NGO employee, 30.03.2009.

¹¹⁴ Interview 3 with an NGO employee, 25.03.2009.

¹¹⁵ Interview 7 with an NGO employee, 30.03.2009.

¹¹⁶ Interview 2 with an NGO employee, 24.03.2009.

¹¹⁷ Interview 5 with a state employee, 26.03.2009.

as others”¹¹⁸. As pointed out by the same government official, the EU CoC has contributed to increased transparency and awareness in Norway, as well as to “building high international standards”¹¹⁹. Furthermore, the CoC has a strong normative effect, which “actually translates into national export control regulations over time”¹²⁰.

On the other hand, one of the government officials argued that “the ATT and other processes would benefit from more unusual constellations of states”, and cross-regional cooperation, as well as avoiding the traditional blocks and usual dividing lines could make the process more efficient¹²¹. Furthermore, usually the EU member states have various and often contrasting views on the different topics, and therefore “they can only go so far as sort of the lowest standard in their joint statements”.

Nevertheless, as one of the interviewees pointed out, experience has shown that it is almost impossible to “get an agreement without the EU on board”¹²².

V14 Norwegian non-membership in the EU

Although most of the interviewees see it as an advantage concerning the small arms issue that Norway is not a member of the EU, some of them mentioned the disadvantage of making less impact, as well. As one of the NGO employees put it, “it must be more powerful when the EU is presenting something than when little Norway is doing that”¹²³, which was corroborated by a government official saying that “the weight of the EU would be usually a bit heavier than the one of Norway”¹²⁴.

Concerning the advantages, flexibility was a recurring theme – besides other interviewees emphasising the possibility of being more radical, one of the interviewees

¹¹⁸ Interview 4 with an NGO employee, 25.03.2009.

¹¹⁹ Interview 5 with a state employee, 26.03.2009.

¹²⁰ Interview 4 with an NGO employee, 25.03.2009.

¹²¹ Interview 6 with a state employee, 27.03.2009.

¹²² Interview 7 with an NGO employee, 30.03.2009.

¹²³ Interview 8 with an NGO employee, 02.04.2009.

¹²⁴ Interview 6 with a state employee, 27.03.2009.

stressed “the option to talk with other states and create alliances with other states”, and the “option of growing outside your security arena”¹²⁵. This flexibility was also highlighted by government officials: “sometimes we consider it important just to stand together with others, sometimes it’s possible and more relevant to take a lead on certain issues, it depends. But we are not a member, so we take that decision”¹²⁶.

An interesting aspect was mentioned by one of the interviewees, namely that Norway often represents the positions of EU members, mostly Sweden and Denmark, if they cannot get their message through in the EU and their standpoint would be more radical than the common position¹²⁷. Furthermore, he pointed out that Norway as a non-member can give legitimacy to the process, although it should be noted that it was the same interviewee who questioned that the international community would treat Saudi Arabia and Norway differently in terms of legitimacy:

“I think that Norway as a sort of an outside country can also play a really important role, because for many the ATT process has been seen as a promotion of Britain’s export control. And I think that a country like Norway can also bring other momentums into the agreement, and they can also play a part in including nations that you wouldn’t really expect to be a part of it”¹²⁸.

¹²⁵ Interview 4 with an NGO employee, 25.03.2009.

¹²⁶ Interview 5 with a state employee, 26.03.2009.

¹²⁷ Interview 7 with an NGO employee, 30.03.2009.

¹²⁸ Ibid.

Chapter 6 Analysis

6.1. The Norwegian Model in Security Policy

The analysis of the Norwegian model by Tvedt (2003) focuses on the close cooperation between the state and NGOs in the field of development policy and humanitarian aid. This policy area, characterised by the outsourcing of aid provision in the global South to private organisations, and the active participation of NGOs in policy formulation and implementation, is the perfect example of structures and processes that are best explained by the concept of “governance”. However, in the case of security policy the traditional strategic interests of the state are still regarded as the jurisdiction of executive prerogatives, and the prevalent secrecy and closed approach in decision-making raise the barriers of civil society participation significantly higher.

In the following chapter I will assess the extent to which Norwegian NGOs were able to penetrate a certain field of security policy, the SALW issue, and whether the relationship between the state and civil society can most adequately be described by the concept of governance. As an organising framework I will use the seven dimensions described by Krahmann and presented in Chapter 1. These dimensions can take various forms on the scale between the ideal types of government and governance, i.e. centralisation and fragmentation, integration and differentiation. However, it is “difficult to specify which or how many dimensions have to be fragmented for a policy-making structure to qualify as ‘governance’”, and different dimensions can often be characterised by countervailing trends (Krahmann 2003a). Still, the dimensions serve as a good basis for identifying a potential movement towards governance arrangements in security policy.

6.1.1. The Seven Dimensions

Geography

The first dimension concerns the geographical scope of policy making and implementation. In the case of the regulation of Norwegian SALW export, the only legally binding international agreement is the EU CoC, although before December 2008 it was still only a Code of Conduct with recommendations for participating states, being the prerogative of the individual state to decide whether to implement them or not. Besides this regional export regime, the international agreements concerning the export of SALW, such as the UN PoA, UN Firearms Protocol and the Geneva Declaration are the most relevant and significant for the Norwegian export regime. Furthermore, the nascent ATT has the aim of regulating the global arms trade with an international, legally binding agreement within the framework of the UN.

Still, as it was pointed out by the majority of the interviewees, the Norwegian export regime is stricter than any of these international and regional regulations, and it is still up to the Norwegian export authority to decide whether and when to issue export licenses or not, although the incentives for compliance are strong and Norway usually acts in accordance with these regimes (see Policy implementation).

All in all, the Norwegian export control regime is the product of different international, regional and national regulations, and thus it is geographically dispersed among different authorities at different levels.

There is a further aspect of the SALW issue that is related to the geographical scope, namely the transnational nature of Norwegian arms production. The Nammo Group, which is a major actor in the field of ammunition production, has subsidiaries in Germany, Finland, Sweden and the United States, and has licensed production in various countries, such as Malaysia and Poland (Holm et al. 2006:55). Therefore, besides the fragmentation of political authority upwards to the regional and

international level, we can see the fragmentation of the arms industry sideways, in the form of increased transnationalisation (Krahmann 2003a).

Function

According to Krahmann, the broadening of the concept of security to “human security” did not lead to the integration of actors with different functions into a unifying authority. Rather, there occurred a differentiation within security policy and the traditional divisions of responsibility prevailed (Krahmann 2003a). The reason behind the preserved functions was that the concept became too broad to be handled with the limited expertise and resources of the different governments, and thus they decided to “buy” these competencies from private actors, such as private security companies and humanitarian organisations.

Concerning Norwegian security policy and more specifically disarmament processes, the expertise of civil society regarding the situation on the ground was emphasised both by the government and the NGO side. However, representatives of the latter were rather focused on the importance of raising awareness by bringing the “field perspective” to the negotiation table¹²⁹ and making a moral argument by using personal stories¹³⁰, and thus it was a part of their tactics and strategies.

On the other hand, one of the government officials stressed that the reason why the Oslo Process leading to the Convention on Ban of Cluster Ammunition was so successful is that the Norwegian leadership “managed to make it a facts-based process”. These crucial facts were provided by NGOs who know “the realities on the ground”¹³¹, and thus they were of paramount importance in providing the necessary expertise for the government, while the government provided the room for them to present these facts. In addition, NGOs play a crucial role in making the negotiation room wider for the Norwegian government. Furthermore, the depiction of the Norwegian NGO community by the interviewee implied a functional fragmentation

¹²⁹ Interview 3 with an NGO employee, 25.03.2009.

¹³⁰ Interview 2 with an NGO employee, 24.03.2009.

¹³¹ Interview 6 with a state employee, 27.03.2009.

within civil society itself – according to this state employee, the different people at the different organisations all have their expertise in their own mandate, and thus they can fulfil different roles and can make valuable contributions according to their focus area, but they should not be regarded as one¹³².

In a small country like Norway – and probably in bigger countries, too – the state apparatus would undoubtedly have great difficulties if they wanted to develop expertise concerning each and every issue at hand, and thus the division of labour and the functional differentiation between public and private actors comes as a necessity with the growing number of topics included under the umbrella of “human security”.

However, although with the broadening of the security concept their areas of competency moved to the realm of security policy, the NGOs with a humanitarian and development focus explicitly stated that they want to preserve their focus. As one of the interviewees argued, “as a neutral, independent, humanitarian organisation” they “would have great difficulties in not being trapped in some kind of argument” if they entered the terrorism debate¹³³, for instance, which is often presented as being linked to the SALW issue. Also, another interviewee mentioned that the terrorism approach “takes focus away from (...) people in developing countries”, and it is the global South that is the most important for their organisations¹³⁴. Thus, there is a clear wish from the NGO community to uphold “*the traditional divisions of responsibility*” (Krahmann 2003a:12). Furthermore, the functional fragmentation can also be observed within the NGO community itself, since each NGO has a special mandate and expertise, and the NGOs that are members of international umbrella organisations also have a division of labour according to the different levels of policy making and implementation that they lobby.

¹³² Interview 6 with a state employee, 27.03.2009.

¹³³ Interview 3 with an NGO employee, 25.03.2009.

¹³⁴ Interview 9 with an NGO employee, 03.04.2009.

Distribution of resources

As it was presented in the previous chapter, the Norwegian humanitarian and development organisations that are involved in the SALW issue almost exclusively finance their activities with governmental funding. Thus, the distribution of resources is still centralised, since the financial support they receive from other sources is insignificant.

However, there are some privatisation trends that could be interpreted as a move towards governance arrangements in the Norwegian armament industry and that are relevant for the this dimension. In 1993, the Norwegian government sold part of its shares in Kongsberg Gruppen, and as a result state ownership was reduced to 50% from the previous 100% (NHD 2006:82). On the other hand, in 1998 the government bought the shares of Nammo Raufoss amounting to 45% in the Nammo Group, and in 2005 a further 5% to increase state ownership to 50% (ibid.:84). Therefore, instead of a fragmentation in terms of resources, the Norwegian government has a clear policy of preserving state majority and thus its influence in the armament industry, in contrast to the privatisation trends in the Western European armament industries identified by Krahmann as one of the manifestations of security governance (Krahmann 2003a:13).

Interests

Concerning the interests that are represented in Norway in terms of the SALW issue, there is a rather stark contrast between state and NGO interests. As it was discussed in the previous chapter, traditional strategic interests such as alliance politics or the protection of the arms industry often stand in the way of implementing NGO recommendations, for instance demanding end-user certificates also in the case of NATO transfers or a more active and responsible state ownership. Furthermore, the NGO community itself is fragmented when it comes to interests – the organisations focus on various aspects of the SALW issue, ranging from human rights, international humanitarian law, children's rights and a South perspective to security policy.

Therefore, they all emphasised the necessity of having these different voices represented at consultations, and they were all against developing a common, unified NGO position.

Norms

In terms of the normative dimension it is important to mention two norms that established themselves in Norway in the last decades. First of all, there is wide consensus about making the country a “humanitarian superpower” which is expected to open doors in places where important decisions are made (Tvedt 2003:67). Although this norm is not directly relevant for initiating a move towards security governance, it has indirect implications in that the “Norwegian model” of close state-NGO cooperation is seen as the first pillar in the pursuit of becoming a humanitarian superpower and as the ultimate tool for achieving altruistic goals (ibid.:56). This notion of a society-based foreign policy (Dobinson and Dale 2000:49) is the second established norm that has direct relevance for government vs. governance arrangements. The inclusion of civil society in various policy areas and topics is a strong underlying norm that has led to structures and processes that are best described by the concept of security governance.

Decision-making

According to Krahmann, the fragmentation of decision-making in security policy takes two forms: the establishment of issue networks and a move from decisions based on consensus towards weighted voting and similar mechanism (Krahmann 2003a:15).

In terms of networks, in the Norwegian case both the government officials and the NGO employees described the formation of consultations as a natural process, and generally said that it is difficult to determine who took the initiative. The consultations originated from low level communication in the form of e-mails, phone calls and discussions during lunch, and have an ad hoc character – “they invite us when they feel that they need some input, and we invite ourselves when we feel that we need to

provide that input”¹³⁵. Thus, the actors involved in the SALW issue in Norway form an issue-specific network consisting of private and public participants, with different constellations according to the issue at hand¹³⁶. In addition, many of them participate in international networks such as IANSA (International Action Network on Small Arms) and ENAAT (European Network Against Arms Trade)¹³⁷, as well.

According to Krahmann, these “fragmented but overlapping networks which structure the collaboration among the growing range of public and private security actors” play a central part in security governance and are a significant characteristic of such arrangements in security policy (Krahmann 2003a:7).

The second form that the trend towards governance can take is decision-making based on weighted voting or consensus minus one procedures instead of the requirement for consensus (ibid.:18). In terms of the SALW issue in Norway, this dimension has relevance in the context of the ATT process which the country actively supports. As it was pointed out by one of the NGO employees, the two successful disarmament processes resulting in the ban of landmines and cluster ammunition were both processes outside the UN, dominated by a network of willing states, while the future ATT intends to regulate arms trade in the framework of the UN¹³⁸. The requirement of consensus in the UN was identified as a major obstacle by one of the government officials: “If you have the set-up you have in the room, what are you going to get consensus about? You’re going to get consensus about we’ve met, we’ve discussed”¹³⁹. The scepticism towards processes and decision-making based on consensus definitely signals a move in the direction of governance arrangements.

However, both the selective character of networks and the lack of mechanisms compensating for inequalities and differences in power in new forms of decision-making undoubtedly lead to arrangements that are less democratic. Indeed, as it is put

¹³⁵ Interview 3 with an NGO employee, 25.03.2009.

¹³⁶ Interview 1 with an NGO employee, 20.03.2009.

¹³⁷ Interview 10 with an NGO employee, 29.04.2009.

¹³⁸ Ibid.

¹³⁹ Interview 6 with a state employee, 27.03.2009.

forward by Tvedt (2003:59), according to central actors, the success of the Norwegian model rests exactly on its undemocratic character. Few debates and the almost non-existent democratic, parliamentary and public control of what the leadership of Norwegian development policy actually does are all necessary for the efficient functioning of the Norwegian model. Moreover, as former Minister of Foreign Affairs Thorbjørn Jagland argued, the fact that there are only a handful of people included in policy making is a precondition for establishing trust among the actors.

To sum up, both the issue-specific networks consisting of various actors and the preference for processes outside the consensus-based UN point to the existence of governance arrangements in the case of SALW issue in Norway. It should be noted, however, that according to one of the NGO employees, the openness of the government and the degree to which they include civil society in decision-making depends strongly on the subject and the implications it has¹⁴⁰. Furthermore, there are only a handful of examples of success or “breakthrough” by civil society resulting in a change of government policy, such as the use of NGO language in official documents or the publication of an ethical Code of Conduct by Nammo.

Policy implementation

The outsourcing of governmental tasks in Norway in the field of development aid and the provision of humanitarian relief already started in the 1980s, when the state to an increasing extent embarked on implementing its policies through “free-standing development diplomats on state salary”. From the 1990s, as the goals of foreign policy became more and more ambitious, contracting Norwegian NGOs for the implementation of different policies was an expressed strategy (Tvedt 2003:105).

However, this trend has not only affected Norwegian development policy, but also security policy and more specifically the issue of SALW export. First of all, through the NORAD funding provided for the dissemination of information in the Norwegian society about central North-South and development issues, the state has successfully

¹⁴⁰ Interview 10 with an NGO employee, 29.04.2009.

outsourced the task of providing information about the SALW issue, which would require a significant amount of expertise, as well as resources. Even the NGO with a security focus included in the sample receives financial support on this basis, although the interviewee complained about the general difficulty of getting funding with this policy focus¹⁴¹. Thus, the Norwegian government in a way buys the service of disseminating information among the population from the civil society. A good example was given by one of the NGO employees, who told that they were asked by the government to make a “stunt” because the department wanted more awareness around an event¹⁴².

There is a further aspect of the SALW issue that relates to the dimension of policy implementation, namely the nature of the international agreements. The majority of the agreements mentioned above that Norway subscribed to concerning the regulation of SALW export are not legally binding and are based on voluntary compliance. Nevertheless, these agreements have a strong normative power – as one of the NGO employees put it, “if you have a normative community or normative agreement, it actually translates into national export control regulations over time”¹⁴³. Thus, if there is an established norm concerning the implementation of the export guidelines and criteria included in these agreements, the “beauty contest” among the states will lead to voluntary compliance.

On the other hand, the aim with the future ATT is to have an international agreement that is legally binding. However, there are several reasons for limited optimism concerning the viability of such an agreement. First of all, as it was mentioned by one of the government officials, the process has already been delayed by one year, with the General Assembly agreeing on dedicating this year for the general exchange of views¹⁴⁴. Thus, it will definitely take a few years until the ATT will be signed and

¹⁴¹ Interview 4 with an NGO employee, 25.03.2009.

¹⁴² Interview 8 with an NGO employee, 02.04.2009.

¹⁴³ Interview 4 with an NGO employee, 25.03.2009.

¹⁴⁴ Interview 6 with a state employee, 27.03.2009.

ratified by all UN members, if it will be accepted by the General Assembly and the Security Council. Furthermore, even if an international ATT will be in power in the future, experience has shown that the coercive power of the UN in case of non-compliance is limited, and thus the treaty will still be based on self-enforcement.

All in all, experience so far has shown that the most successful regional and international agreements regulating arms trade are based on self-enforced policies and voluntary compliance. This, together with the practice of policy implementation by private actors indicates the presence of security governance in this dimension.

Table 6.1. sums up the findings about the potential existence of governance arrangements according to the different dimensions.

Table 6.1. Government vs. governance in the different dimension.

Dimension		Centralisation vs. Fragmentation
Geographical	<ul style="list-style-type: none"> ▪ International and regional SALW export agreements ▪ Transnational nature of the Norwegian arms industry 	Fragmentation
Functional	<ul style="list-style-type: none"> ▪ Division of labour between the government and the NGOs ▪ Division of labour between the NGOs nationally and internationally 	Fragmentation
Distribution of resources	<ul style="list-style-type: none"> ▪ State majority in the arms industry ▪ Funding of NGOs dependent on the state 	Centralisation
Interests	<ul style="list-style-type: none"> ▪ Conflicting state and NGO interests ▪ Various interests within the NGO community 	Fragmentation
Norms	<ul style="list-style-type: none"> ▪ Norway as a humanitarian superpower ▪ The Norwegian model 	Fragmentation
Decision-making	<ul style="list-style-type: none"> ▪ Networks consisting of various private and public actors ▪ Preference for processes not based on consensus 	Fragmentation
Policy implementation	<ul style="list-style-type: none"> ▪ The use of NGOs for the dissemination of information ▪ Success of processes based on voluntary compliance 	Fragmentation

As it is demonstrated above, all dimensions except for the distribution of resources are characterised by fragmentation. Consequently, based on the empirical evidence provided by official documents and interviews with key informants, the arrangements in Norwegian security policy concerning the SALW issue can best be described by the concept of security governance.

Regarding the typical problems associated with governance arrangements, such as governance failures identified by Krahmann (2005) as the mismatch between arrangements in the different dimensions, the inconsistencies around the Nammo Group could be mentioned as an example. The centralised decision by the government to pursue a more active state ownership in accordance with the principles of CSR is met by non-compliance as a result of fragmented policy implementation.

In terms of the diffuse legitimacy and accountability relations discussed by Stoker (1998), none of the NGO employees interviewed has experienced blame avoidance or “scapegoating” by the government and the majority of them have not expressed fear of such actions in the future. However, potential blame avoidance and legitimisation of government actions by the participation of civil society in the process were mentioned as the main reasons for their policy of standing outside national delegations by one of the NGO employees¹⁴⁵.

¹⁴⁵ Interview 3 with an NGO employee, 25.03.2009.

6.1.2. The Role of NGOs in Security Policy

It is a central point in Krahmann's security governance theory that today's security policy is characterised by the growing influence of non-state actors both in decision-making and policy implementation, leading to the fragmentation of authority (Krahmann 2005a). Therefore, it is important to assess whether Norwegian NGOs have indeed penetrated areas that are traditionally belong to the jurisdiction of security policy, such as disarmament processes.

As it is demonstrated by the empirical findings in Chapter 5, in contrast to a general trend of securitisation in international politics (Buzan and Wæver 2003), the issue of SALW has been successfully desecuritized by NGOs. The reasons behind this move include pragmatic ones, like easier campaigning and access to governmental funding, as well as the significantly less problematic nature of discussing development problems compared to security policy¹⁴⁶. Thus, the Norwegian NGOs generally avoid entering the terrorism approach and similar politically laden discussions, and preserve their humanitarian and development perspective even in the realm of security policy¹⁴⁷.

The two successful disarmament processes that built on the active inclusion of civil society in decision-making and policy implementation, namely the landmine and the cluster ammunition campaigns, were not traditional disarmament processes in the strict sense, as it was also emphasised by one of the government officials. These two campaigns that are often used as the classic examples of increasing NGO influence in security policy, framed the necessity of banning these arms as a question of humanitarian development, human rights and international humanitarian law, successfully moving disarmament from the narrow concept of security to the much broader concept of "*human security*", thus legitimising NGO participation.

¹⁴⁶ Interview 1 with an NGO employee, 20.03.2009.

¹⁴⁷ The following discussion will not include the NGO having a security policy focus.

However, this reframing of the issue as a humanitarian and development question is not only characteristic of the NGO community. In the White Paper Nr.15. published by the MFA in March 2009, “*humanitarian disarmament*” is discussed as a perspective that has the humanitarian and developmental consequences of weapon use as a starting point, exemplified by the processes that led to the ban of landmines and cluster ammunitions. The new approach which is different from traditional arms control strengthens both international humanitarian law and human rights law, and gives a solid framework for efficient implementation of disarmament in the field (MFA 2009b:112).

Therefore, based on the findings of this case study, the impact of NGOs in traditional security policy questions is limited – their area of influence is restricted to the segment where traditional NGO competencies (humanitarian and development issues in the global South) and the extended concept of security meet, as it is illustrated by Figure 6.1.

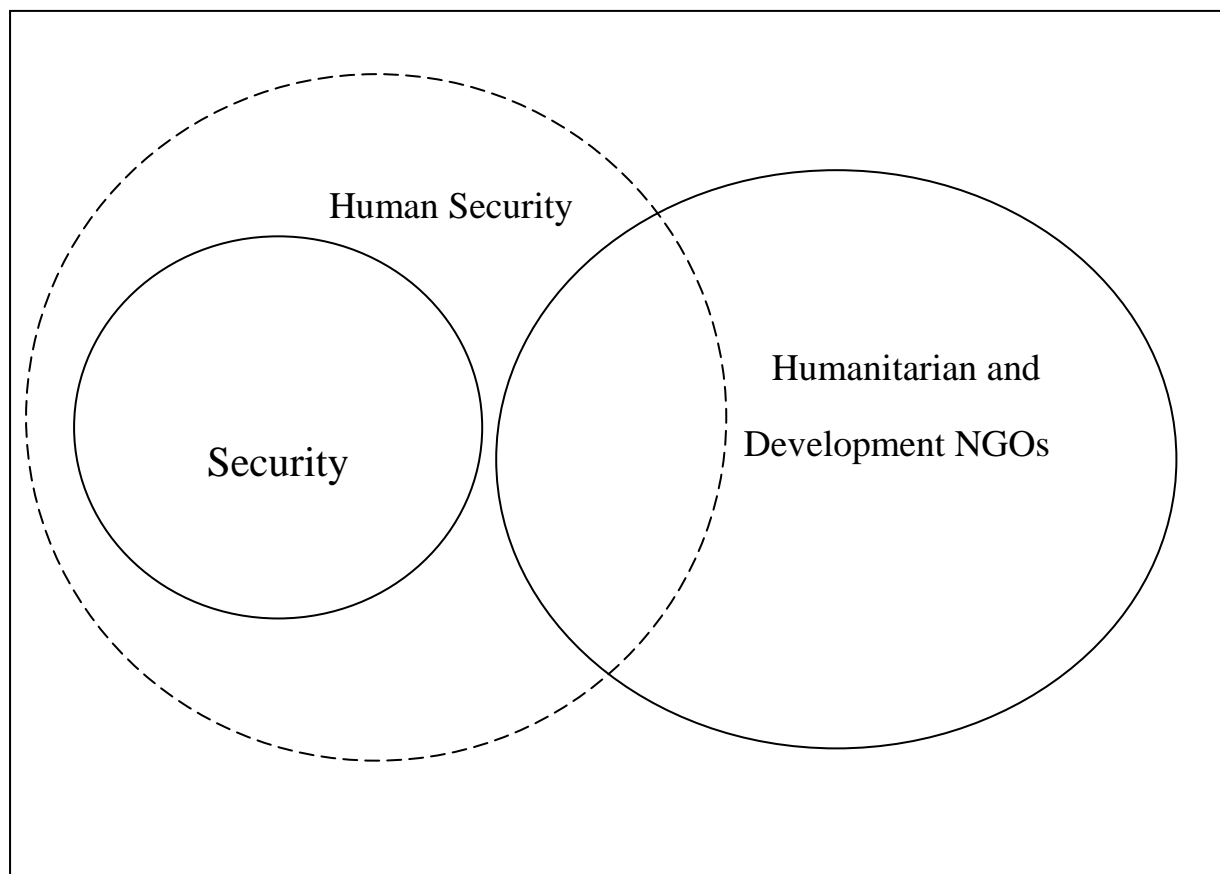


Figure 6.1. The area of NGO influence in security policy

6.2. Dilemmas, Strategies and Enabling Factors

6.2.1. Dilemmas

As it was presented above, the increased participation of civil society in foreign and security policy is clearly advantageous for the Norwegian government, since NGOs can provide the expertise and services that are necessary for efficient decision-making and policy implementation in an era when the concept of security has become so broad that it could easily result in the overload of central governments, besides increasing both the internal and the external legitimacy of these processes. However, there are some potential dangers associated with this close cooperation from the perspective of civil society that will be discussed in the following section, based on the literature presented in Chapter 2.

The potential threat of adaptation mechanisms concerning the campaign topics as a result of dependence on funding from a single authority was discussed by Trenz in the context of German civil society and the EU (Trenz 2007). In the Norwegian case, the findings indicate that NGOs are highly dependent on financial support from NORAD, the MFA and other governmental sources, and thus the danger of adaptation mechanisms is relevant and needs to be assessed. According to the interviewees, the funding mechanisms of the government naturally result in a certain awareness of the topics that they prioritise, although they mostly have the possibility of either finding other sources for their activities¹⁴⁸ or presenting the issue at hand in a way that it fits a certain type of funding¹⁴⁹. Nevertheless, while the NGOs with a humanitarian or development focus can navigate quite freely among the different funding sources, organisations with a security policy focus are in a more difficult situation¹⁵⁰. Furthermore, among the reasons for a desecuritisation of the SALW issue the interviewees mentioned that there are significantly more funds available in development than in security policy. Therefore, there are some trends visible that point

¹⁴⁸ Interview 1 with an NGO employee, 20.03.2009.

¹⁴⁹ Interview 10 with an NGO employee, 29.04.2009.

¹⁵⁰ Interview 4 with an NGO employee, 25.03.2009.

in the direction of adaptation mechanisms and the agenda-setting power of the government.

Concerning the “watchdog vs. partner” dilemma, none of the NGOs included in the sample found it problematic to participate in consultations with the government. These consultations are regarded as valuable since they provide civil society the possibility of presenting their views and influencing the government’s position. The rationale of civil society inclusion in the case of consultations is mostly based on epistemic claims from the government’s side – NGOs function as advisors and provide the necessary information from the field to improve the quality of decision-making processes (see the presentation of V8 in Chapter 5). On the other hand, civil society would like to use the consultations to share their perspectives and knowledge¹⁵¹, as well as to change the government’s position¹⁵².

The meeting before the ATT conference is the perfect example of the manifestation of contrasting epistemic and accountability claims. As presented on p.73, both the government official and the NGO employee complained about the other not having a clear position about the issue, and both of them expected to form their position according to what the other would say. If we keep in mind the dilemma of accountability vs. epistemic claims, the reaction of the two interviewees becomes less surprising. The NGO employee who participates in the consultations originating from accountability claims needs to have the position of the government before forming the NGO opinion, because their watchdog role is built on post hoc evaluation. They use the consultations as a first hand source of information about government positions, so that they can form an opinion about this position as soon as possible and can mobilise the public if necessary. In contrast, the government official’s view on the consultations is rooted in epistemic claims, and thus in using civil society for developing the official standpoint before it has crystallised itself.

¹⁵¹ Interview 2 with an NGO employee, 24.03.2009.

¹⁵² Interview 7 with an NGO employee, 30.03.2009.

The close cooperation between state and NGOs can also have negative implications concerning the independence of civil society. According to Karp (2006), the accreditation of NGO employees and researchers as members of national delegations at UN conferences is the manifestation of how close this cooperation is, and together with dependence on state funding it results in a “Faustian bargain”: in order to receive the necessary funding for their activities, NGOs avoid raising controversial issues and seize being a “watchdog”. Concerning the implications of state sponsorship, none of the Norwegian NGO employees included in the sample felt that they were “asked to keep quiet”¹⁵³ or that they had to be careful about what topics they discuss.

However, one of the interviewees mentioned that the governmental funding is basically for supporting Norwegian views on humanitarian issues¹⁵⁴. It is difficult to assess whether NGO standpoints really have to be in accordance with governmental positions and to what extent it is considered a decisive factor when granting funds, though there are some traces of evidence in the guidelines of the MFA and NORAD. The document says that the grant schemes “are primarily aimed at strengthening civil society as a driving force and agent for change in achieving *national and international development goals*” and are meant to enable for voluntary organisations to “contribute effectively to achieving *key goals in Norwegian development policy*” (MFA and NORAD 2001, emphasis added). These principles included in the guidelines imply that the government does have certain expectations concerning the harmonisation of state policies and civil society goals, which could be interpreted as a sign of civil society being co-opted. Furthermore, the example given by one of the NGO employees about the government ordering a “stunt” from them to raise awareness for an event organised by one of the state departments¹⁵⁵ could signal an “unequal marriage” between the public and the private sphere.

In terms of being a member of the Norwegian delegation at international conferences the NGO community is more divided. Two of the interviewees expressed fear that they

¹⁵³ Interview 8 with an NGO employee, 02.04.2009.

¹⁵⁴ Interview 4 with an NGO employee, 25.03.2009.

¹⁵⁵ Interview 8 with an NGO employee, 02.04.2009.

could be used to legitimise processes and standpoints¹⁵⁶ or would have to support the Norwegian policies¹⁵⁷, and therefore they rather distance themselves from these delegations. However, both of them represent organisations that are part of an international umbrella organisation, and thus this policy of standing outside could originate from the international level. As it was mentioned by one of them, being a member of the Norwegian delegation sends “a signal to the rest of the world” where the roles of state and civil society are probably not so clear and are not respected by both parties¹⁵⁸. Therefore, although they acknowledge that being a part of the Norwegian delegation would most likely not have any negative implications, as a local representative of international organisations they need to have clear policies.

On the other hand, the majority of the interviewees have either already been a member of the national delegation or do not find it problematic at all. Since experience has shown that the Norwegian government respects the independence of civil society¹⁵⁹, they choose the easiest way of getting accreditation.

All in all, since neither governmental funding nor being a member of the national delegation is perceived as problematic by the majority of the Norwegian NGOs included in the sample, the “Faustian bargain” that according to Karp characterises the small arms campaign does not fit the Norwegian case, although the implications of the grant guidelines need further exploration. Also, by prioritising NGOs with a development or environmental focus, the government does have a certain agenda-setting role through the funding mechanisms.

In terms of the consequences of participation for deliberative democracy, the dilemma between being a valuable member of the negotiations or an advocate of their organisations is avoided by the consultant role that Norwegian NGOs play in consultations. The fact that they rather provide background information for the

¹⁵⁶ Interview 3 with an NGO employee, 25.03.2009.

¹⁵⁷ Interview 7 with an NGO employee, 30.03.2009.

¹⁵⁸ Interview 3 with an NGO employee, 25.03.2009.

¹⁵⁹ Interview 2 with an NGO employee, 24.03.2009.

decisions taken by the government than actively formulating and choosing certain policies can be explained by the dilemma inherent in deliberation. Although their actual recommendations are often included in the governmental position and in policies, by restraining to providing information they do not have to adjust their views to reach consensus and can preserve their agenda. Since none of the interviewees included in the sample knew of other NGOs that wished to be invited to consultations but were not granted access, the potentially elitist and exclusive nature of civil society participation discussed by Hendriks (2006) does not apply to the Norwegian case. However, this is probably the result of the Norwegian community being very small.

6.2.2. Strategies

The strategies and tactics identified by Keck and Sikkink also characterise the Norwegian civil society. In terms of information politics, the crucial role of civil society in providing information from the ground and including the field perspective was stressed by both government officials and NGO employees. Symbolic politics is used as a tool in the campaigns, for instance “big posters of crying children”¹⁶⁰ or lying in the street covered up in blood with a poster saying “the weapon that killed me was made in Norway”(PRESS 2009). Concerning leverage politics, NGOs often appeal on the reputation of Norway as a peace promoter and contrast it to the role the country plays in arms trade. As it was pointed out by one of the NGO employees, Norway actively pursues the aim of being a humanitarian superpower and a peace negotiator, and thus if someone criticises some aspects of it and it is discussed in the media, the topic will attract considerable attention and create widespread debate¹⁶¹. Finally, accountability politics was used in the case mentioned by one of the interviewees when they demanded that Nammo publish an ethical Code of Conduct based on the White Paper issued by the government on CSR. Then, when they had the Code of Conduct in writing, they could confront politicians with the practices of the state-owned company and require a change in these practices.

¹⁶⁰ Interview 2 with an NGO employee, 24.03.2009.

¹⁶¹ Interview 10 with an NGO employee, 29.04.2009.

6.2.3. Enabling Factors

From the factors that contributed to the good functioning of the Norwegian model in security policy and in general, the interviewees mentioned the following:

- Clear roles that are respected by both parties
- Positive experience
- Trust (that is built on experience)
- Strong legitimacy of the NGO leadership

Conclusion

The aim of this study was to explore whether the special form of cooperation between the Norwegian state and civil society in the field of security policy, and more specifically the SALW issue, is an instance of what Elke Krahmann terms “security governance”. Furthermore, my intention was to identify potentially unique factors and circumstances that contribute to the efficient functioning of the Norwegian model in this case, that could be the basis of future studies on the applicability of this Norwegian trademark in other settings, such as the EU.

Concerning the existence of governance arrangements in Norwegian security policy, my analysis of documentary evidence and interview data according to the seven dimensions presented by Krahmann (2005a:12) found that except for the distribution of resources, all dimensions were characterised by fragmentation instead of centralisation. Thus, the structures and processes evolving around the Norwegian SALW policy can best be described by the concept of security governance.

In terms of the enabling factors of successful state-NGO cooperation and the dilemmas that arise from this unique relationship, Karp (2006) argued that as a result of “the unequal marriage” between civil society and governments, the latter was co-opted in the small arms campaign. According to him, this “Faustian bargain” manifests itself in NGO dependence on state sponsorship and accreditation as members of national delegations at international conferences, and consequently the loss of their independent and critical voice.

When it comes to the resources available for Norwegian NGOs, except for the two NGOs included in the sample that have a policy of not accepting state support at all, the majority of them are heavily dependent on governmental funding, often amounting to 100% of their total budget. Although none of the NGO employees interviewed expressed a perceived agenda-control by the government, the grant guidelines of NORAD and the MFA requiring the harmonisation of NGO standpoints with

Norwegian foreign policy aims, as well as the prioritisation of NGOs with a development and humanitarian focus above those with a security policy approach indicate that adaptation mechanisms are to some extent present in the Norwegian case. However, preserving a self-standing civil society is in the interest of the state, as well, because it is necessary if the inclusive approach has the aim of giving legitimacy to decision-making and policy implementation processes.

Similarly to funding, the NGO employees were divided on their attitudes towards being a member of the Norwegian delegation at international conferences, with two organisations clearly restraining from this way of accreditation, while the rest perceiving it as unproblematic. Concerning participation in consultations with the government, all interviewees, both from the government and the NGO side assign a high value to these arenas, and depict the relationship as mutually beneficial. However, there are signs of collision between epistemic and accountability claims that could potentially cause some problems and conflicts in the future. Furthermore, the extensive use of NGOs for policy implementation by the government can also be dangerous in the long-term, and lead to the concerns discussed by Karp, namely that the official agenda becomes the NGO agenda. On the other hand, the NGO community in Norway is raising awareness about issues that are controversial and abundant with central security and industrial interests. Therefore, it is highly unlikely that a “Faustian bargain” has taken place between the Norwegian NGOs and the state and that they are co-opted in the SALW issue.

Based on the interview data, I attempted to identify recurring factors that were mentioned by NGO employees as prerequisites of the successful functioning of the Norwegian model. I found that both in the context of consultations and membership in national delegations the interviewees stressed the importance of clear roles respected by both parties, positive experiences with the Norwegian government, trust (built on the positive experience) and strong NGO leadership with clear mandates.

A further important finding was made that relates both to the concept of security governance and the enabling factors of efficient cooperation. The comparison of the disarmament processes in the last two decades and the reasons given by the interviewees for discussing the SALW issue in a humanitarian and human rights framework revealed a desecuritisation trend in these processes. The NGOs preserved their original mandates and focus areas, and their increased activity in the field of security policy did not result from the expansion of their competencies, but from the broadening of the security concept to include political, economic, social and environmental threats under the umbrella of “human security”. Although it is not possible to generalise from a single case study, the findings suggest that the area of NGO influence in security policy is restricted to the segment where traditional NGO competencies and the extended concept of security meet. Still, further research is necessary to explore whether this common segment of competencies indeed opens a path for an inclusive and cosmopolitan security policy replacing the traditional closed-room approach.

The question of whether the Norwegian model could be applied in other settings, especially at the European level and in the CFSP is particularly important in the light of recent attempts to include civil society in policy formulation and implementation as a remedy for the democratic deficit and the legitimacy crisis in the EU. The majority of the interviewees stressed that whether a close cooperation with the government is problematic is strongly dependent on the national settings. The respect of clear roles and NGO independence by the Norwegian government, as well as the trust resulting from years of positive experience are decisive factors concerning the participation in consultations or national delegations. As one of the interviewees pointed out, when an NGO receives accreditation as a member of the national delegation, it sends a signal to the rest of the world¹⁶², while in other national settings this close cooperation could be extremely problematic and could indeed lead to a “Faustian bargain”. The awareness of these two Norwegian NGOs about not sending such a signal to other NGOs around

¹⁶² Interview 3 with an NGO employee, 25.03.2009.

the world could imply that being a member of national delegations is not accepted by the whole of the international NGO community.

On the other hand, another interviewee has experienced that NGOs from other countries are often “jealous” of their Norwegian counterparts for having such a privileged relationship with the state¹⁶³, indicating a demand from the NGO side for arrangements similar to the Norwegian model. This demand is also there from the side of the EU, as it is demonstrated by the White Paper on Governance calling for open methods of consultation and attributing a more important role for organised civil society in the forming and implementation of European policies (Commission 2001). In the following, I will assess the possibility of “exporting” the Norwegian model to the EU, based on the enabling factors identified by the interviewees and on the dilemmas presented in the literature on state-civil society cooperation. However, it is important to note that this is solely a discussion and I will by no means attempt to generalise the findings of this case study to the Norwegian model as a whole or to public-private cooperation in the field of society. Still, I think that the theoretical evaluation of whether the Norwegian model has relevance and is viable for the EU can serve as the basis of future research on the topic.

There are significant differences between the Norwegian and the European settings that could hinder successful and efficient civil society-EU cooperation. First of all, the frequent lack of consensus concerning the CFSP could discourage NGOs from involvement in decision-making and policy implementation – if the common position of the EU has to stick to the lowest standard that the member states could agree on, then there is no point in participating in consultations at the European level, and it is more efficient to lobby the national governments so that each member state moves towards a more radical position as a result of NGO influence.

¹⁶³ Interview 9 with an NGO employee, 03.04.2009.

Also, the EU is often seen as the block of rich Western states¹⁶⁴ by the global South, and together with the colonial past of many European countries, this could lead to EU efforts in the field of CFSP, and especially the promotion of certain norms, perceived of as cultural imperialism (Sjursen 2007). Understandably, we could expect that the majority of the NGOs would not like to be associated with this reputation, especially in the light of the findings of this case study which indicate a strong identification of civil society with Norway's international legitimacy and reputation

Furthermore, while the participation of NGOs in consultations could work well in a small country like Norway, exporting the Norwegian model to the European level would necessarily lead to the representation of civil society instead of the inclusion of all relevant actors. "Civil society" as it is used by the European institutions became synonymous with organised civil society, promoting rather the representation of civil society by the "chosen" associations (mostly EU-level organisations with sufficient resources to have permanent offices in Brussels) than direct participation (Kohler-Koch 2009). In addition, there are selection mechanisms and barriers within the civil society organisations themselves. As it is demonstrated by a study of Central- and Eastern European interest groups in the EU, the representation of European civil society in Brussels hardly mirrors the civil society in different member states. As a result of the constraints posed by limited financial resources and the high level of professionalisation that is required for successful lobbying at the European level, the new member states are underrepresented among Brussels-based interest groups (Charrad 2008). However, this problematique is not limited to the new member states – even German civil society organisations have difficulties representing their interests in Brussels, resulting from lack of resources and expertise, such as language skills and in-depth knowledge of the functioning of European institutions (Trenz 2007). Thus, a move from participation to representation without proper mechanisms for the selection of representatives could lead to potentially elitist and exclusive arrangements

¹⁶⁴ Interview 2 with an NGO employee, 24.03.2009.

(Hendriks 2006) – or in other words, the inclusion of civil society in decision-making as the cure for democratic deficit would result in undemocratic structures.

Furthermore, the strong legitimacy of the NGO leadership was identified by one of the interviewees as a major factor that enables the functioning of the Norwegian model, because it guarantees that the NGOs do not get into a soft relationship with actors that they should not. On the other hand, a representative structure with suspicion and alienation on part of the local groups towards the leadership at the European level would lack this assurance, and as a result, many NGOs would probably choose to refrain from participation.

Finally, interviewees from both the governmental and the NGO side mentioned that international politics would benefit from more unusual constellations of states and cross-regional cooperation, and thus NGOs would potentially prefer lobbyism at the national level over cooperation at the European level, because it gives them more flexibility to create alliances in countries outside the traditional blocks.

Still, many NGO employees emphasised the importance of the EU and the efficiency of the EU CoC as a regional arms control agreement. It managed to establish a strong norm in the field, and resulted in increased awareness and transparency in many member states, as well as countries outside the EU. In addition, it gave momentum to the ATT process by providing a document that has gone far in implementing human rights and humanitarian law that the ATT can build on¹⁶⁵. Finally, the interviewees pointed out that the EU is an exceptionally powerful actor in global politics, and experience has shown that getting an international agreement without the EU on board is almost impossible¹⁶⁶.

As mentioned above, the findings indicate that increased NGO influence in security policy could be a result of the extended concept of “human security”, incorporating issues traditionally belonging to the competencies of humanitarian and development organisations. Over the years, the EU has been a significant actor in development aid

¹⁶⁵ Interview 2 with an NGO employee, 24.03.2009.

¹⁶⁶ Interview 7 with an NGO employee, 30.03.2009.

and humanitarian assistance and has an expressed goal of becoming an efficient peace-builder and a “force for good” in the world (Aggestam 2008). Furthermore, it has recently embarked on pursuing a human security agenda and commissioned the “Barcelona Report on A human security doctrine for Europe” which suggests a human security base for the CFSP and the establishment of a Human Security Response Force (The Barcelona Report 2004). According to Matlary (2008), “(t)he EU, not being a state, has the advantage of being able to adopt human security as its only paradigm”, and can avoid the traditional notion of state security. Therefore, since the EU focuses on the broad security concept instead of the traditional narrow definition evolving around military force and the protection citizens within a state’s territory, cooperation with civil society in decision-making and policy implementation in the CFSP could potentially result in more extensive NGO impact than in the case of nation states where the core security competencies remain outside the mandate and influence of NGOs. Moreover, in order to pursue the “ethical power Europe” and becoming a normative superpower, legitimacy provided by civil society participation comes as a necessity.

All in all, the potential for the successful export of the Norwegian model to the EU is there, though there are some deficiencies presented above that need to be addressed so that the inclusion of civil society in decision-making and policy implementation can increase efficiency and function as the remedy for the democratic deficit and legitimacy crisis of the EU. Since the trust based on positive experiences and the respect of clear roles still needs to be established, the path leading to more inclusive, legitimate and efficient decision-making will almost certainly be filled with conflicts and difficulties.

Based on the Norwegian SALW export regime, this study has shown that governance arrangements are indeed present in security policy and that the well-functioning Norwegian model is not restricted to the area of humanitarian and development policy. With the growing popularity of governance and the proliferation of NGOs in the post-Cold War era, this unique symbiosis needs increased attention in international politics.

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Annex I – Interview Guide (Government Official version)

Activities

- Could you tell me a few words about your responsibilities at the Department?
- What does the cooperation with other departments involve?

Security policy vs. human rights

- Traditionally, arms export is seen as a matter of security policy and strategic interests. When did the human rights and development aspect enter the discussion?
- What are the reasons for that?
- How did it affect your activities? Do you feel like responsibilities were taken away from you?
- Is the export of small arms treated differently than nuclear weapons and WMDs?
- Do you see any problems with the use of the human rights framework?
- The Wassenaar Agreement focuses on the link between SALW and terrorism. Do you think that the goals originating from a security perspective are compatible with those originating from a human rights perspective? Trying to address the same problems?
- What were the reasons behind the inclusion of human rights considerations in the arms export guidelines in 2007? (Stortingsvedtak 1997)

Relationship with the NGOs

- Do you cooperate with NGOs on the SALW export issue? (consultations) Or they rather try to lobby the (*other*) department ?
- Who took the initiative?
- Do you think that they make valuable contributions or they rather make your life more difficult?
- Do you think that their goals and recommendations are reasonable?
- Did you change some policies or positions as a result of NGO lobbying?

International setting

- Norwegian regulations concerning arms export were already quite strict before the EU CoC. Did the CoC have any significant impact on Norwegian practices?
- In your opinion, is it an advantage or a disadvantage that Norway is not a member of the EU?
- Do you think that Norway can have a more radical position and stricter regulations than the EU?
- Do you think that Norway is perceived as being more legitimate when presenting a position on arms export, thanks to its activities as a peace promoter?

Annex II – Interview Guide (NGO version)

Activities

- Could you tell me a few words about your organisation and your role?
- When did you engage in the small arms issue?

Human rights approach

- Did you present and discuss small arms exports from the beginning as a question of human rights, or did you change the context at some point?
- Why not as related to terrorism and transnational organised crime? Would have been easier to get the attention of governments?
- What are the advantages and disadvantages of using the human rights framework?
- Do you think that the NGO community can build on the success of the landmine and cluster ammunition campaigns, or are the cases too different to be compared?

Goals

- What are your main goals concerning SALW export?
- Would you like to limit gun ownership or is the topic too problematic? (Domestic interests of the states)
- How/why did the goals change over time (if they did)?
- In your opinion, what are the main problems and deficiencies of the current SALW export regulations?
- Could you name some problems that are specifically associated with Norwegian practices?
- What is your opinion about Norway as the peace promoter and the arms exporter?

Funding

- Do you receive funds from the government?
- Is your funding based on projects and campaigns, or is it continuous?
- Do you think that government funds (would) endanger your independence?

Relationship with the state

Openness:

- How often are you invited to consultations with the government? (on a regular basis?) What are the occasions?
- Who took the initiative? Did you have to push for being included in decision-making and policy formulation?

Responsiveness:

- Do you feel that your recommendations are generally taken into consideration by government officials?
 - Could you tell me some specific examples for both cases?

Consensual or conflictive?

- On which topics did you / do you disagree with the government?
Norwegian strategic interests?
- Do you think that your independent status is weakened by participating in consultations or you rather see it as a good opportunity to make impact?

Strategies

- Besides the consultations, how do you try to influence the government's position?
- Personal contacts at the ministries? Journalists?
- At which phases do you use which strategies?

Relationship with other NGOs

- Are there any NGOs that work on small arms exports but are not included in consultations?

IF YES:

Exclusive/inclusive:

- How is your relationship with NGOs that are not invited to consultations?
- Do you consider them marginal to the campaign?
- Do you provide information for them?

IF NO:**Conflicts:**

- Do you coordinate with other NGOs before consultations with the government?
- Do you try to formulate a common position before the meetings?
- Is it difficult to reach consensus?

International Setting

- How would you assess the role of the EU in the small arms initiative?
- Do you try to influence decision-making concerning amendments to / improvement of the current SALW regulations at the international or rather at the national level?
- How does the non-membership of Norway in the EU affect your activities?
- Do you think that Norway can present a more radical position at UN conferences because it's not a member of the EU?
- Would you say that Norway is perceived as more legitimate thanks to its efforts as a peace promoter?

Annex III – Checklist for the Interviews

D1 – FUNDING

Origins		
	State	
	Private	
	EU	
Basis		
	Campaigns/projects	
	Continuous	

D1 – STRATEGIES

Consultations	
Journalists	
Personal contacts at the ministries	
International activities, networks	

D2 – THE ISSUE OF SALW EXPORT

Framing as a human rights issue from the beginning?	
Change in the framework?	
Advantages and disadvantages	
Problems with the current regulation	
Landmine and cluster ammunition campaigns	

D3 – The SALW Issue in Norway

Problems with Norwegian SALW export regulations/practices	
NGO Goals vs. Norwegian strategic interests	

D4 – RELATIONSHIP WITH THE STATE

Openness		
	Frequency	
	Occasion	
	Initiative	
	Transparency	
Responsiveness		
	Initial position	
	Impact of the NGOs, success?	
	Norwegian interests vs. NGO goals	
Independence		
	Watchdog or partner?	
	NGOs as experts/consultants	

D4 – RELATIONSHIP WITH OTHER NGOS

All invited?		
NOT invited		
	Marginal?	
	Transmission belts	
ARE invited		
	Coordination before the meetings	
	Common position	
	Difficult to achieve?	

D5 – INTERNATIONAL SETTING

Norway's international reputation, legitimacy	
Norway as the peace promoter and arms exporter	
The EU's reputation, legitimacy	
Role of the EU in the small arms initiative	
Norwegian non-membership in the EU (+/-)	
Experiences from the ATT process	

Annex IV – Variables and Coding Template

D1

V1 – Funding, general functioning, strategies

V2 – Links to international advocacy networks

D2

V3 – The human rights, humanitarian and development approach vs. the security approach

V4 – General problems with SALW export regulation

V5 – Differences from and similarities with the landmine and cluster ammunition campaigns

D3

V6 – Problems with Norwegian SALW export regulations/practices

V7 – NGO interests/goals vs. Norwegian strategic interests

D4

V8 – NGOs as experts and consultants

V9 – Consultations/participation vs. Independence (Watchdog or partner?)

V10 – Examples of success

V11 – Common position before consultations

D5

V12 – Norway's international reputation and legitimacy

V13 – The EU's role, reputation and legitimacy

V14 – Advantages and disadvantages of Norwegian non-membership in the EU